

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

TWENTY-NINTH DAY'S PROCEEDINGS

**Twenty-ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, May 22, 2003

The House of Representatives was called to order at 1:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker

Erdey
Fannin
Farrar
Faucheux
Flavin
Frith
Total—104

Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Walsworth
Welch
Winston
Wooton
Wright

ABSENT

Landrieu
Total—1

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rep. Lucas.

Pledge of Allegiance

Rep. Jane Smith led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Frith, the Journal of May 21, 2003, was adopted.

Suspension of the Rules

On motion of Rep. Bruneau, the rules were suspended in order to allow the Committee on Appropriations to meet while the House was in session.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 166
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

May 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

Page 2 HOUSE

29th Day's Proceedings - May 22, 2003

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 147
Returned with amendments.

House Bill No. 214
Returned with amendments.

House Bill No. 280
Returned with amendments.

House Bill No. 456
Returned with amendments.

House Bill No. 749
Returned with amendments.

House Bill No. 778
Returned with amendments.

House Bill No. 959
Returned with amendments.

House Bill No. 1129
Returned with amendments.

House Bill No. 1136
Returned with amendments.

House Bill No. 1342
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 476, 522, 801, 806, 923, and 1025

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Psychaud, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 476—

BY SENATOR BAJOE

AN ACT

To enact R.S. 14:67.22, relative to theft; to create the crime of theft of a used building component; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Read by title.

SENATE BILL NO. 522—

BY SENATOR C. JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 926.1 (A)(1), (H)(3), and (K) and R.S. 15:151.2(G) and to enact Code of Criminal Procedure Art. 926.1(A)(3) and 930.7(D), relative to post conviction relief; to provide relative to DNA testing; to extend the period of time in which an application for post conviction relief through DNA testing can be made; to require appointment of counsel for an indigent petitioner for such relief; to create the Court Appointed Counsel for Post-Conviction Relief for Indigents in Non-Capital Cases Fund; to place such fund under the authority of the Indigent Defense Assistance Board; and to provide for related matters.

Read by title.

SENATE BILL NO. 801—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 15:587(E), relative to criminal history records; to allow certain employers or their representatives to obtain criminal history records of persons applying for employment; and to provide for related matters.

Read by title.

SENATE BILL NO. 806—

BY SENATOR JOHNSON

AN ACT

To enact R.S. 17:285.1 and R.S. 40:1797.1, relative to firearms and firearm safety devices; to provide for firearm accident prevention programs in public elementary schools; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 923—

BY SENATOR HOYT

AN ACT

To amend and reenact Civil Code Arts. 2036 and 2037 and to enact Chapter 7 of Code Title IV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2790.1 through 2790.12, all relative to obligations; to provide for the Uniform Fraudulent Transfer Act; to provide for definitions; to provide that certain transfers are fraudulent; to provide for remedies of creditors; to provide for defenses, liability and protection of a transferee; to provide for extinguishment of a cause of action; and to provide for related matters.

Read by title.

SENATE BILL NO. 1025—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 39:99.12(A), relative to the sale of tobacco assets; to provide for the sale of certain assets; and to provide for related matters.

Read by title.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 77— BY REPRESENTATIVE SCHNEIDER

A RESOLUTION

To commend Wesley Clark and the Lake Castle North Private School MathCounts team.

Read by title.

On motion of Rep. Schneider, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 169— BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To provide with respect to the promotion and strengthening of marriages.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 170— BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the state fire marshal to develop alternative methods of providing education and training on fire safety and fire prevention procedures to the staff and residents of assisted living facilities.

Read by title.

On motion of Rep. Walsworth, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 73— BY REPRESENTATIVE MURRAY

A RESOLUTION

To adopt House Rule 6.8(H) of the Rules of Order of the House of Representatives, to provide for recommittal of bills that provide exceptions to public records laws.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 27— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 56:116.1(B)(1), relative to the use of aircraft in the taking of wild turkey and white-tailed deer; to prohibit the use of aircraft for the taking, or spotting of either species; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

SENATE BILL NO. 89— BY SENATOR MCPHERSON

AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

SENATE BILL NO. 116— BY SENATOR DARDENNE

AN ACT

To enact R.S. 40:2155(B)(8) and (9), relative to adult residential care homes; to provide for resident support during times of emergency and natural disasters; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 207— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 14:27(D)(1) and to enact R.S. 14:27(E), relative to attempted crimes; to provide relative to attempts of certain crimes; to increase penalties for such attempts when the victim is a peace officer; to define peace officer; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 283— BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1313(B)(3), relative to the State Police Pension and Retirement System; to authorize an increase in disability benefits for certain catastrophic injuries sustained in the performance of official duties; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

Page 4 HOUSE

29th Day's Proceedings - May 22, 2003

SENATE BILL NO. 318— BY SENATOR ELLINGTON

AN ACT

To amend and reenact Children's Code Arts. 1186(A) and 1190(B) and (C), relative to confidentiality of adoption records; to provide for notice to the custodian of certain adoption records prior to an adoption records hearing; to provide for fifteen days notice prior to hearing; to provide for an exception; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 407— BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1484.2(8) and 1484.4, relative to regulation of amusement attractions and rides; to provide for inspection of air-supported structures; to provide for a definition; to provide for inspection; to provide for certification; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

SENATE BILL NO. 511— BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 40:961(8) and 967(F)(3), relative to controlled dangerous substances; to provide relative to the penalties for possession of GHB (gamma hydroxybutyric acid) and analogues of GHB to eliminate inaccurate references to Schedule II(D)(2); to provide relative to the definition of a controlled substance analogue; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 548— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 15:587.2 and 598, relative to criminal history background checks at institutions of postsecondary education; to authorize such background checks for applicants or prospective employees; to require the Louisiana Bureau of Criminal Identification and Information to provide certain criminal history information upon written request by an institution of postsecondary education; to provide for fees; to provide for applicability; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

SENATE BILL NO. 613— BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 46:236.5(B)(1), relative to public assistance; to provide for the establishment of paternity and the enforcement of child support; to provide for an exception to fee assessment; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 625— BY SENATORS IRONS AND BOISSIERE

AN ACT

To amend and reenact R.S. 13:4711(A), 4712, and 4713(A) and (C), relative to public nuisance; to provide for definitions; to provide that a petition establishes a rebuttable presumption of certain activity; to provide for an award of expenses incurred in abating a public nuisance or civil penalties upon issuance of a final injunction; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 666— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 22:2002(3) and (6) and to enact R.S. 22:2004.2 and 3018.1, relative to health insurance; to require coverage for low protein food products to treat certain diseases by certain health organizations and self-insured entities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

SENATE BILL NO. 672— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 37:1731(A)(1) and (E)(1) and to enact R.S. 37:1731(F), relative to the Good Samaritan Law; to extend immunity under the Good Samaritan Law to certain emergency service providers; and to provide for related matters.

Read by title.

Motion

Rep. Walsworth moved that Senate Bill No. 672 be designated as a duplicate of House Bill No. 1059.

Which motion was agreed to.

Rep. Walsworth moved that Senate Bill No. 672 be amended to conform with House Bill No. 1059 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 672 by Senator Fontenot (Duplicate of House Bill No. 1059)

AMENDMENT NO. 1

On page 1, line 3, after "Law;" delete the remainder of the line and on line 4, delete "under the good Samaritan Law to" and insert "to provide for applicability to employers of"

AMENDMENT NO. 2

On page 2, at the end of line 1, change "such" to "the"

AMENDMENT NO. 3

On page 2, line 2, insert a comma "," after "assistant"

AMENDMENT NO. 4

On page 2, at the end of line 14, change "such" to "the"

AMENDMENT NO. 5

On page 2, line 21, delete "act or omission" and insert "action"

AMENDMENT NO. 6

On page 2, line 24, after "technician," delete the remainder of the line, and on line 25, delete "or limited liability company,"

On motion of Rep. Walsworth, the amendments were adopted.

Motion

On motion of Rep. Walsworth, the above bill, as amended, was referred to the Legislative Bureau.

SENATE BILL NO. 683—
BY SENATORS ULLO AND HAINKEL
AN ACT

To repeal R.S. 33:1559, relative to extra compensation for coroners; to repeal provisions for extra compensation for coroners payable by the state and parish governing authorities; to provide for effective dates; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

SENATE BILL NO. 726—
BY SENATOR C. JONES
AN ACT

To amend and reenact Children's Code Art. 810, relative to constitutional rights; to provide with respect to waiver of right to counsel; to provide for the constitutional rights of accused delinquents; to prohibit juveniles from waiving right to counsel under certain circumstances; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 781—
BY SENATOR BOISSIERE
AN ACT

To enact Part IV of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4159.10, relative to sewage and water disposal; to prohibit privatization of public sewage disposal or treatment facilities in municipalities having a population in excess of four hundred and seventy-five thousand, according to the most recent federal decennial census, unless specifically authorized by the legislature; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 998—
BY SENATOR HOYT
AN ACT

To amend and reenact R.S. 11:416(A)(3), relative to the Louisiana State Employees' Retirement System; to provide for the reemployment of retirees; to provide for the benefits paid to such retirees; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

SENATE BILL NO. 1031—
BY SENATOR ROMERO
AN ACT

To amend and reenact R.S. 40:2403(H) and to enact R.S. 14:67.16(G) and R.S. 44:3(G), relative to crimes of misappropriation without violence; to provide relative to the crime of identity theft; to provide relative to the investigation of an allegation of such crime; to require such investigation under certain circumstances; to require training of police officers relative to such crime; to require funding prior to the implementation of such training; to provide for an effective date for the implementation of such training; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 1102—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 56:1855(K), relative to the Louisiana Scenic Rivers Act; to remove certain exemptions applicable to a portion of the Tchefuncte River in St. Tammany Parish; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

SENATE BILL NO. 1109—
BY SENATOR BOISSIERE
AN ACT

To repeal R.S. 11:3843, relative to the New Orleans Employees' Retirement System; to repeal the provision which excludes simultaneous membership in more than one public retirement system; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

SENATE BILL NO. 1117—
BY SENATOR GAUTREAUX
AN ACT

To amend and reenact R.S. 30:2000.3(B), the introductory paragraph of R.S. 30:2000.4(A), the introductory paragraph of R. S. 30:2000.4(B), R.S. 30:2000.5(B)(1) and (2), and 2000.7(B) and to enact R.S. 30:2000.2(7), relative to the Atchafalaya Basin Program; to provide for the powers, duties, and functions of the secretary of the Department of Natural Resources; to provide for retroactive application; and to provide for related matters.

Read by title.

Page 6 HOUSE

29th Day's Proceedings - May 22, 2003

Under the rules, the above bill was referred to the Committee on Natural Resources.

SENATE BILL NO. 331— BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 37:1861(A)(1), 1864, 1871(1), 1874(A) and (B)(13)(a) and (c), 1877, 1879, and 1880, and to enact R.S. 37:1861(A)(3) and (4), 1871(3) and (4), 1874(B)(13)(f), relative to secondhand dealers; to provide for the definition of the term "used building component"; to require reporting of transactions involving "used building components"; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Peychaud moved that Senate Bill No. 331 be designated as a duplicate of House Bill No. 799.

Which motion was agreed to.

Rep. Peychaud moved that Senate Bill No. 331 be amended to conform with House Bill No. 799 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Peychaud to Reengrossed Senate Bill No. 331 by Senator Bajoie (Duplicate of House Bill No. 799)

AMENDMENT NO. 1

On page 1, line 2, after "1864," insert "1869,"

AMENDMENT NO. 2

On page 1, line 5, after "secondhand" insert "and antique" and after "to" delete the remainder of the line and insert "define "used"

AMENDMENT NO. 3

On page 1, line 6, after "component"" and before the semicolon ";," insert "and "lot of used building components""

AMENDMENT NO. 4

On page 1, line 9, after "1864," insert "1869,"

AMENDMENT NO. 5

On page 2, line 6, after "supplies," insert "used building components, and" and after "artifacts" delete the comma "," and "and"

AMENDMENT NO. 6

On page 2, line 7, delete "used building components"

AMENDMENT NO. 7

On page 2, line 15, delete the comma "," after "component" and delete the comma "," after "ornament of"

AMENDMENT NO. 8

On page 2, line 16, insert a comma "," after "shape"

AMENDMENT NO. 9

On page 2, line 17, delete "property, fixture or appliance" and insert "property or fixture,"

AMENDMENT NO. 10

On page 2, line 19, delete "refrigerators," and delete "clothes washers, clothes dryers,"

AMENDMENT NO. 11

On page 2, line 21, delete "air conditioning units, draperies, window shades,"

AMENDMENT NO. 12

On page 3, at the beginning of line 1, change "joist" to "joists"

AMENDMENT NO. 13

On page 3, line 12, after "article" and before the comma "," insert "received"

AMENDMENT NO. 14

On page 3, line 13, after "components," delete "received" and delete the comma "," after "more"

AMENDMENT NO. 15

On page 3, after line 26, insert the following:

"§1869. Violations; penalty

A. Any secondhand dealer who violates, neglects, or refuses to comply with any provision of this Part, shall ~~for the first offense~~; be fined not less than ~~twenty-five~~ two hundred fifty dollars, nor more than ~~one five~~ hundred dollars or be imprisoned for not less than ~~ten~~ thirty days nor more than ~~thirty~~ sixty days, or both.

B. ~~For the second and subsequent offenses he shall be fined five hundred dollars, or be imprisoned for not less than thirty days, nor more than sixty days, or both. If convicted three times offense, his occupational license shall be suspended for a thirty-day period. For a third offense, his license shall be revoked and he shall not thereafter be permitted to engage in the business of secondhand dealer in the state of Louisiana.~~

C. Any secondhand dealer convicted of selling stolen goods shall have his occupational retail license revoked.

D. The occupational license tax collector is hereby vested with the authority, upon motion in a court of competent jurisdiction, to rule the noncomplying secondhand dealer to show cause in not less than two nor more than ten days, exclusive of holidays, as to why the noncomplying secondhand dealer's retail occupational license should not be suspended or revoked as prescribed under this Part. This rule may be tried out of term and in chambers and shall be tried with preference and priority. If the rule is made absolute, the order rendered therein shall be considered a judgment in favor of the municipality or parish.

* * *

AMENDMENT NO. 16

On page 4, line 4, after "meaning" delete the remainder of the line and delete lines 5 and 6 in their entirety and insert a colon ":"

AMENDMENT NO. 17

On page 4, at the end of line 23, delete the comma "," after "to"

AMENDMENT NO. 18

On page 4, line 24, delete the comma "," after "component" and delete the comma "," after "ornament of"

AMENDMENT NO. 19

On page 4, line 26, delete "property, fixture or appliance," and insert "property or fixture,"

AMENDMENT NO. 20

On page 5, line 2, delete "refrigerators," and delete "clothes washers, clothes dryers,"

AMENDMENT NO. 21

On page 5, line 4, delete "air conditioning units, draperies, window shades,"

AMENDMENT NO. 22

On page 5, line 10, change "joist," to "joists,"

AMENDMENT NO. 23

On page 6, line 10, delete "refrigerator," and delete "clothes washer, clothes dryer,"

AMENDMENT NO. 24

On page 6, line 12, delete "air conditioning units, drapery, window shade,"

AMENDMENT NO. 25

On page 6, line 14, insert a comma "," after "stud"

AMENDMENT NO. 26

On page 6, line 18, insert "or" before "planting" and delete the comma "," after "planting"

AMENDMENT NO. 27

On page 6, line 23, delete the comma "," after "board"

AMENDMENT NO. 28

On page 7, line 8, after "merchandise" insert a comma "," and "any lot of used building components" and after "article" delete the comma "," and delete "or any lot of used"

AMENDMENT NO. 29

On page 7, line 9, delete "building components," and at the end of the line delete the comma "," after "more"

AMENDMENT NO. 30

On page 7, line 14, insert a comma "," after "transaction"

On motion of Rep. Psychaud, the amendments were adopted.

Motion

On motion of Rep. Psychaud, the above bill, as amended, was referred to the Legislative Bureau.

Motion

On motion of Rep. Montgomery, the Committee on Retirement was discharged from further consideration of Senate Bill No. 342.

SENATE BILL NO. 342—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide for a one-time cost-of-living adjustment; to provide for retroactive application; and to provide for related matters.

Read by title.

Motion

Rep. Montgomery moved that Senate Bill No. 342 be designated as a duplicate of House Bill No. 956.

Which motion was agreed to.

Rep. Montgomery moved that Senate Bill No. 342 be amended to conform with House Bill No. 956 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Montgomery to Engrossed Senate Bill No. 342 by Senator Boissiere (Duplicate of House Bill No. 956)

AMENDMENT NO. 1

On page 1, at the beginning of line 3, after "provide" delete "for a one-time cost-of-living adjustment" and insert "with respect to cost-of-living adjustments; to permit payment of a nonrecurring benefit supplement if no cost-of-living adjustment can be paid; to provide for eligibility to receive such supplement; to provide relative to the method and time of payment of such supplement;"

AMENDMENT NO. 2

On page 1, delete lines 11 through 15 in their entirety and on page 2, delete lines 1 through 6 in their entirety and insert the following:

"M. In the event that a cost-of-living adjustment is not payable based on the valuation for the year ending June 30, 2002, as provided in Subsection K of this Section, the board may, in its discretion, authorize a nonrecurring lump-sum benefit supplement. The benefit supplement shall be two percent of the normal annual benefit; however, in no case shall the benefit supplement be less than three hundred dollars. The benefit supplement shall be paid in a single lump-sum payment. The supplement shall be granted only to beneficiaries who would be eligible for the cost-of-living adjustment provided for in Subsection K of this Section. No funds derived from the assessments against insurers pursuant to R.S. 22:1419 shall be used to pay any increased costs or increase in liability resulting from the provisions of this Subsection.

Section 2. This Act shall have retroactive application to June 30, 2002."

Page 8 HOUSE

29th Day's Proceedings - May 22, 2003

On motion of Rep. Montgomery, the amendments were adopted.

Motion

On motion of Rep. Montgomery, the above bill, as amended, was referred to the Legislative Bureau.

Motion

On motion of Rep. Thompson, the Committee on Agriculture, Forestry, Aquaculture, and Rural Development was discharged from further consideration of Senate Bill No. 707.

SENATE BILL NO. 707—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 3:262(C), 264(H), 266(20), 270(A), 1317(3), 1907(C), and 3210(C)(4), relative to the Louisiana Agricultural Finance Authority; to provide for its meeting requirements and its authority; to provide for authority to acquire, construct, renovate, and equip certain buildings; and to provide for related matters.

Read by title.

Motion

Rep. Thompson moved that Senate Bill No. 707 be designated as a duplicate of House Bill No. 1413.

Which motion was agreed to.

Motion

On motion of Rep. Thompson, the above bill was referred to the Legislative Bureau.

Suspension of the Rules

On motion of Rep. Lancaster, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Second Reading Reported by Committee at this time.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 294—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 15:529.1(C), relative to the habitual offender law; to provide for applicability based upon the period of time between each conviction; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 294 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 14, after "of" and before "the current" insert "the commission of"

AMENDMENT NO. 2

On page 1, at the end of line 15, change "next preceding" to "previous"

AMENDMENT NO. 3

On page 2, line 3, after "delinquency" delete the remainder of the line and insert "alleged in the multiple offender bill and the date of the commission of the"

AMENDMENT NO. 4

On page 2, line 11, after "shall" and before "apply" insert "not"

AMENDMENT NO. 5

On page 2, line 13, after "Act" change the comma "," to a period "." and delete the remainder of the line and delete line 14 in its entirety.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 359—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 17:71.3(E)(2)(a) and (c), relative to the use of divided precincts in school board redistricting; to provide relative to precincts divided by the boundary between a city and a parish school system; to prohibit conducting an election using a ballot based on a plan that violates restrictions on the use of divided precincts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 401—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 17:1501.2, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specific tuition and attendance fee amounts for students attending Louisiana State University at Alexandria; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 401 by Representative DeWitt

AMENDMENT NO. 1

On page 2, line 3, after "hundred" and before "dollars" change "sixty-seven" to "seventy-three"

AMENDMENT NO. 2

On page 2, line 5, after "hundred" and before "dollars" change "sixty-one" to "sixty-seven"

AMENDMENT NO. 3

On page 2 delete lines 9 and 10 in their entirety

AMENDMENT NO. 4

On page 2, at the beginning of line 11, change "(c)" to "(b)"

AMENDMENT NO. 5

On page 2 delete line 12 in its entirety

AMENDMENT NO. 6

On page 2, at the beginning of line 13, change "(e)" to "(c)"

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 583—
BY REPRESENTATIVES FARRAR, CAZAYOUX, HOPKINS, AND THOMPSON

A JOINT RESOLUTION

Proposing to amend Article XII, Section 6(A) of the Constitution of Louisiana, relative to the Lottery Proceeds Fund; to require annual appropriation of certain monies in the Lottery Proceeds Fund for the minimum foundation program and services for compulsive and problem gaming; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 583 by Representative Farrar

AMENDMENT NO. 1

On page 3, line 15, after "Fund" and before "be" delete "shall"

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered reengrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 637—
BY REPRESENTATIVE LEBLANC
A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10.3(A)(2)(a)(introductory paragraph) and 10.5(B) of the Constitution of Louisiana, to provide for the deposit of certain mineral revenues in the Budget Stabilization Fund; to correct an incorrect reference to the Budget Stabilization Fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 637 by Representative LeBlanc

AMENDMENT NO. 1

On page 2, line 7, after "constitution" and before "any" insert a comma ","

AMENDMENT NO. 2

On page 3, at the end of line 17, insert a period "."

AMENDMENT NO. 3

On page 3, delete line 18 in its entirety

AMENDMENT NO. 4

On page 3, at the beginning of line 19, delete "Fund."

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered reengrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 638—
BY REPRESENTATIVE PERKINS
A JOINT RESOLUTION

Proposing to amend Article IV, Sections 3(A), 11, and 20 of the Constitution of Louisiana, to provide relative to the appointment of the commissioner of insurance; to provide for the appointment of the commissioner of insurance by the governor; to remove provisions for the election of the commissioner of insurance; to remove specific provisions for the legislature to provide by law for the appointment, in lieu of election, of the commissioner of insurance; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Page 10 HOUSE

29th Day's Proceedings - May 22, 2003

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 638 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 2, change "Section 20" to "Sections 3(A), 11, and 20"

AMENDMENT NO. 2

On page 1, line 4, after "insurance;" delete the remainder of the line and lines 5 through 7 and insert the following:

"to provide for the appointment of the commissioner of insurance by the governor; to remove provisions for the election of the commissioner of insurance; to remove specific provisions for the legislature to provide by law for the appointment, in lieu of election, of the commissioner of insurance; to provide for submission"

AMENDMENT NO. 3

On page 1, line 13, change "Section 20" to "Sections 3(A), 11, and 20"

AMENDMENT NO. 4

On page 1, after line 14, insert the following:

"§3. Election; Term

Section 3.(A) Election. Except as provided in Section 20 of this Article, the governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, ~~commissioner of insurance~~, superintendent of education, and commissioner of elections each shall be elected for a term of four years by the electors of the state at the time and place of voting for members of the legislature. The term of each such official shall begin at noon on the second Monday in January next following the election.

* * *

§11. Commissioner of Insurance; Powers and Duties

Section 11. There shall be a Department of Insurance, headed by the commissioner of insurance who shall be appointed by the governor as provided by law. The department shall exercise such functions and the commissioner shall have powers and perform duties authorized by this constitution or provided by law.

* * *

AMENDMENT NO. 5

On page 2, at the end of line 6, delete "the" and at the beginning of line 7, delete "commissioner of insurance,"

AMENDMENT NO. 6

On page 2, line 14, after "official." delete the remainder of the line and lines 15 and 16 and insert "By law enacted by two-thirds of the elected"

AMENDMENT NO. 7

On page 2, between lines 18 and 19 insert the following:

"Section 2. Be it further resolved that the first appointment of the commissioner of insurance pursuant to the amendment to Article IV, Section 11 shall not occur prior to January 14, 2008."

AMENDMENT NO. 8

On page 2, line 19, change "Section 2." to "Section 3."

AMENDMENT NO. 9

On page 2, line 22, change "Section 3." to "Section 4."

AMENDMENT NO. 10

On page 3, delete lines 1 through 5 and insert the following:

"To provide that the commissioner of insurance shall be appointed by the governor as provided by law. (Amends Article IV, Sections 3(A), 11, and 20)"

On motion of Rep. Lancaster, the amendments were adopted.

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 840—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 27:353(4) and 361(C) and to enact R.S. 27:372.1 and 392(B)(3)(d), relative to slot machine gaming at live racing facilities; to authorize slot machine gaming at an eligible facility in Orleans Parish; to provide with respect to the allocation of revenue; to provide for the authority of the Gaming Control Board to approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide limitations on the number of slot machines operated at an eligible facility in Orleans Parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 927—

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 46:18, relative to disability; to provide for access to medical records; to provide for costs associated with photocopying; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 960—

BY REPRESENTATIVE FUTRELL

AN ACT

To enact R.S. 46:153.4, relative to the Medicaid Drug Program; to authorize the participation of Medicare enrollees in the state Medicaid Drug Program; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 2023 (Substitute for House Bill No. 960 by Representative Futrell) —
BY REPRESENTATIVE FUTRELL

AN ACT

To enact Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2750, relative to Medicaid eligibility; to authorize the implementation of an optional Medicaid eligibility program to certain elderly individuals; and to provide for related matters.

Read by title.

On motion of Rep. Durand, the substitute was adopted and became House Bill No. 2023 by Rep. Futrell, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 960 by Rep. Futrell.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 991—
BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 56:428.3, relative to oyster leases; to authorize future renewal of leases which were not renewed due to temporary impacts of coastal restoration projects; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 991 by Representative Pierre

AMENDMENT NO. 1

On page 1, delete lines 9 through 17 in their entirety and delete page 2 in its entirety and on page 3, delete lines 1 through 14 in their entirety and insert in lieu thereof the following:

"A. For those leases which the state agency responsible for implementation of the state's coastal restoration plan in its recommendations under R.S. 56:428.1(A)(1) advises the secretary not to renew and which that agency anticipates will be impacted for a limited period of time during construction of a coastal restoration project, the secretary shall provide notice to the owner of an expiring lease that all or a portion of the lease will be temporarily impacted and that the lease will not be renewed at the end of the lease term.

B. After the end of the lease term of any lease not renewed as provided in Subsection A of this Section, the water bottom of that lease may be eligible for lease to the owner of the expired lease, but only as further provided in this Section, and only if the owner of the expiring lease complies with all the requirements of this Section.

C. In order for the owner of an expiring lease to be able to lease the water bottom described in the expiring lease which has not been renewed as provided in Subsection A of this Section, he must submit a lease application no later than sixty days after the expiration date of the lease. In addition, a written notice of intent to lease the water bottoms shall be filed with the secretary no later than March first each year thereafter. Both the lease application and the notices of intent shall be

submitted on forms provided by the department. If the owner of the expiring lease fails to submit an application or notice of intent for any year thereafter, any interest to the use of the water bottom shall revert to the state without further notice or action by the secretary.

D. When the state agency responsible for implementation of the state's coastal restoration plan notifies the secretary, pursuant to R.S. 56:428.1(A)(1), that it anticipates no further impacts to water bottoms described in Subsection A of this Section, the secretary, in his sole discretion, may issue a lease for the previously leased water bottoms. On the date the lease is to be issued, if the water bottom is not located within the impact area of a projected or an operational coastal restoration project, the lease shall be issued as provided in R.S. 56:428. On the date the lease is to be issued, if the water bottom is located within the projected impact area of a coastal restoration project as provided in R.S. 56:428.1, the lease shall be subject to all provisions and conditions of a lease issued under that Section, including but not limited to Subsection C. On the date the lease is to be issued, if the water bottom is located within the impact area of an operational coastal restoration project as provided in R.S. 56:428.2, the lease shall be subject to all provisions and conditions of a lease issued under that Section, including but not limited to submitting to the stipulation provided for in Subsection C and the requirements of Subsection D. Furthermore, any lease issued under the provisions of this Section shall be subject to R.S. 56:427.1. Any lease issued under the provisions of this Section shall be considered a new lease and not a renewal, and the term of the lease shall begin on the day the lease is signed by the secretary.

E. If the secretary is notified by the agency responsible for implementation of the state's coastal restoration plan under the provisions of R.S. 56:428.1(B) that the coastal restoration project is canceled or delayed subsequent to the notice provided in Subsection B of this Section but prior to the expiration date of the existing lease, and the lease is not in the projected impact area of another project, the secretary may renew the lease under the provisions of R.S. 56:428.1(B). However, if the lease is in the operational area of another project, any renewal shall be issued under the provisions of R.S. 56:428.2.

F. A lease or portion of a lease issued under this Section is a new lease and shall, in addition to the other terms required, contain a stipulation that the lessee accepts the lease and water bottoms leased in the condition as they exist on the date the lease is issued."

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1017—
BY REPRESENTATIVE DEVILLIER

AN ACT

To enact Code of Criminal Procedure Article 905.5.1, relative to sentencing in capital cases; to prohibit the imposition of capital punishment upon mentally retarded persons; to provide for the procedure to be used when there is a claim of mental retardation; to provide for the filing of motions; to provide for the burden of proof; to provide for hearings; to provide for a waiver of confidentiality; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

Page 12 HOUSE

29th Day's Proceedings - May 22, 2003

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1017 by Representative Devillier

AMENDMENT NO. 1

On page 1, at the end of line 7, delete "to" and on line 8, delete "provide for the exclusive use of those definitions;"

AMENDMENT NO. 2

On page 2, line 5, after "evidence," delete the remainder of the line and delete line 6 in its entirety and insert in lieu thereof "The jury shall try the issue"

AMENDMENT NO. 3

On page 2, line 4, after "C," and before "Any" insert "(1)"

AMENDMENT NO. 4

On page 2, between lines 10 and 11, insert the following:

"(2) Any pretrial determination by the judge that a defendant is not mentally retarded shall not preclude the defendant from raising the issue at the penalty phase, nor shall it preclude any instruction to the jury pursuant to this Section."

AMENDMENT NO. 5

On page 2, line 20, after "privilege to" and before "and" insert a comma ","

AMENDMENT NO. 6

On page 2, line 21, after "of" and before "any" insert a comma ","

AMENDMENT NO. 7

On page 2, line 23, after "evaluations," and before "and" insert "expert opinions," and after "other" and before "information" insert "such"

AMENDMENT NO. 8

On page 3, line 3, after "examination" and before the period "." insert "of the defendant"

AMENDMENT NO. 9

On page 3, line 3, after the period "." and before "If" insert "A psychologist conducting such examination must be licensed by the Louisiana State Board of Examiners of Psychologists."

AMENDMENT NO. 10

On page 3, line 15, after "Article," and before "the" insert "upon motion by the district attorney."

AMENDMENT NO. 11

On page 3, delete lines 18 through 26 in their entirety and insert in lieu thereof the following:

"H.(1) "Mental retardation" means a disability characterized by significant limitations in both intellectual functioning and adaptive behavior as expressed in conceptual, social, and practical adaptive skills. The onset must occur before the age of eighteen years.

(2) A diagnosis of one or more of the following conditions does not necessarily constitute mental retardation: autism, learning"

AMENDMENT NO. 12

On page 4, delete lines 1 through 3 in their entirety

AMENDMENT NO. 13

On page 4, delete lines 13 through 24 in their entirety

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1020—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:1281(A), relative to fees of physicians and surgeons, and allied health care professionals; to authorize the Louisiana State Board of Medical Examiners to establish and modify the fee schedule for any license, certificate, permit, or registration that it is authorized by law to issue; to provide for the recovery of costs associated with certain administrative functions of the board; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1020 by Representative Durand

AMENDMENT NO. 1

On page 3, line 12, change "eight hundred" to "three hundred fifty"

AMENDMENT NO. 2

On page 3, line 19, change "six" to "three"

AMENDMENT NO. 3

On page 3, line 21, change "six" to "three"

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1078—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:35, 40(3), 52, and 54 and to repeal R.S. 40:40(7), relative to the fee for certified copies of vital records; to provide for an increase in fees for the issuance of an initial certified copy of a death certificate issued to a funeral director; to provide for burial transit permits for bodies to be cremated or removed from the state; to provide for the prerequisites for such a

certificate; to provide relative to failure to complete medical certification; to provide for prerequisites for permits; to remove the fee for burial permits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Conforming amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1078 by Representative Durand (Duplicate of Senate Bill No. 385)

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "and" delete "R.S. 40:40(3)" and insert "R.S. 40:35, 40(3), 52, and 54"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "fees" and insert "the fee" and after "of" and before the semicolon ";" delete "regular death certificates" and insert the following:

"an initial certified copy of a death certificate issued to a funeral director; to provide for burial transit permits for bodies to be cremated or removed from the state; to provide for the prerequisites for such a certificate; to provide relative to failure to complete medical certification; to provide for prerequisites for permits"

AMENDMENT NO. 3

On page 1, line 7, delete "R.S. 40:40(3) is" and insert "R.S. 40:35, 40(3), 52, and 54 are"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert the following:

"§35. Failure to complete medical certification

★ If the medical certificate certification portion of the death certificate contains containing too many indefinite or unsatisfactory terms, as determined by the state registrar, denoting only symptoms of disease or conditions resulting from disease and the like, is insufficient for the issuance of a burial or removal permit. Any such certificate shall be returned for correction to the person making it and no certified copies shall be issued until completed properly: the state registrar may require that the certificate be returned for completion and no certified copy of the death certificate shall be issued until completed properly.

* * *

AMENDMENT NO. 5

On page 1, line 13, after "of" delete "a regular" and insert "an initial certified copy of a" and on line 14, after "certificate" insert "sold to funeral directors, and a fee of seven dollars for all subsequent issuances of the same death certificate"

AMENDMENT NO. 6

On page 1, between lines 15 and 16, insert the following:

"§52. Permit for removal, burial, cremation, or other disposition of body; for a death in state; requirements to obtain death certificate before removing body cremation or removing body out of the continental United States

When a death or spontaneous fetal death (stillbirth) occurs in this state or when a dead human body is found, the deceased, stillborn child, or dead human body shall not be interred, deposited in a vault or tomb, removed from the state, cremated, or otherwise disposed of until a burial transit permit for burial, removal, or other disposition has been issued by a local registrar. However, the a dead human body shall not be removed from the state cremated or removed from the continental United States until a burial transit permit has been issued and a the death certificate has been completed by the parish coroner or a physician as required in R.S. 40:34(B)(2)(r).

* * *

§54. Prerequisites for permit

A. No A permit shall be issued for burial within the state, for interment in a vault or tomb, for removal from the state, for scientific use, cremation, removal, or other disposition without the necessity of a completed death certificate. However, no permit for the disposition by cremation or removal from the continental United States shall be issued by a local registrar until a certificate of death or stillbirth, has been completed by the parish coroner or a physician as required in R.S. 40:34(B)(2)(r), as far as it can be completed under the circumstances of the case, and has been filed with him, the a local registrar. No permit may be issued unless and until all the regulations of the Department of Health and Hospitals in respect to the issuance of the permit have been complied with. No permit shall be issued which would be contrary to the sanitary laws of the state.

B. The state registrar shall require for cremation submission of a copy of the coroner's permit for cremation as required in R.S. 33:1566."

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1236—

BY REPRESENTATIVE CRANE

AN ACT

To enact R.S. 17:3351.5(A)(7), relative to increases in tuition amounts for students at certain schools under the management of the Louisiana State University Board of Supervisors; to provide for specified tuition increases for students attending the Louisiana State University School of Veterinary Medicine; to provide limitations; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1236 by Representative Crane

AMENDMENT NO. 1

Page 14 HOUSE

29th Day's Proceedings - May 22, 2003

On page 1, line 6, after "Medicine;" and before "to provide for effectiveness;" add "to provide limitations;"

AMENDMENT NO. 2

On page 2, line 4, after "student" delete the remainder of the line

AMENDMENT NO. 3

On page 2, line 9, after "student who" delete the remainder of the line

AMENDMENT NO. 4

On page 2, between lines 13 and 14, insert the following:

"(c) Proceeds from the tuition increases authorized by this Paragraph shall not be used to pay salaries of administrators at the School of Veterinary Medicine or other university or university system administrators."

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1298—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 17:1791, relative to nonresident students at public colleges and universities; to provide for the waiver of certain tuition and fee amounts by institutions in accordance with policies of the respective management boards; to provide conditions; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1316—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 27:353(4) and 361(C) and to enact R.S. 27:372.1 392(B)(3)(d), relative to slot machine gaming at live racing facilities; to authorize slot machine gaming at an eligible facility in Orleans Parish; to provide with respect to the allocation of revenue; to provide for the authority of the Gaming Control Board to approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide limitations on the number of slot machines operated at an eligible facility in Orleans Parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1318—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 18:45(A), 551(B)(1)(c), and 1483(11), R.S. 22:2(A), 2010(B), and 3004(B), and R.S. 36:681(C)(2), 682(A), and 683, relative to the commissioner of insurance and the Department of Insurance; to provide that the commissioner of insurance shall be appointed and for the method of appointment; to provide for qualifications of the commissioner of insurance; to provide that the commissioner of insurance shall serve a four-year term but shall serve at the pleasure of the governor; to provide for removal; to provide for the filling of vacancies; to provide relative to conflicts of interest and political activity of the commissioner and certain employees of the department; to provide for implementation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1318 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 9, change "legislature;" to "governor;"

AMENDMENT NO. 2

On page 3, at the beginning of line 9, delete "the superintendent of education,"

AMENDMENT NO. 3

On page 4, delete lines 7 and 8 and insert "governor with the consent of the Senate, from a list of"

AMENDMENT NO. 4

On page 4, line 11, after "at Baton Rouge," and before "and Tulane" insert the following:

"Centenary College of Louisiana, Grambling State University, Louisiana Tech University, University of Louisiana at Monroe, Northwestern State University, Loyola University at New Orleans, University of New Orleans,"

AMENDMENT NO. 5

On page 4, line 12, after "New Orleans" delete the period "." and insert "and the head of the department of business at Xavier University of Louisiana."

AMENDMENT NO. 6

On page 4, at the end of line 12, delete "no" and at the beginning of line 13, delete "less than"

AMENDMENT NO. 7

On page 4, line 14, after "insurance to the" delete the remainder of the line and insert "governor"

AMENDMENT NO. 8

On page 5, delete lines 4 and 5 and insert "governor."

AMENDMENT NO. 9

On page 5, delete line 9, and insert "Subsection, the governor shall"

AMENDMENT NO. 10

On page 5, line 10, after "nominations." delete the remainder of the line and delete lines 11 through 15 and insert the following:

"The governor shall designate an employee or officer of the Department of Insurance to temporarily act as commissioner of insurance until any vacancy in the office of commissioner of insurance is filled in accordance with law."

AMENDMENT NO. 11

On page 9, delete line 17, and insert "appointed by the governor, with the consent of the Senate as"

AMENDMENT NO. 12

On page 9, at the end of line 19, delete "legislature." and insert the following:

"governor, which salary shall not exceed the amount approved for such position by the legislature while in session."

AMENDMENT NO. 13

On page 10, line 15, delete "Section 20" and insert "Sections 3(A), 11, and 20"

AMENDMENT NO. 14

On page 10, line 22, after "2007." delete the remainder of the line and delete lines 23 through 26 and insert

"If a vacancy occurs in the office of commissioner of insurance prior to January 14, 2008, the first assistant to the commissioner elected in 2003 shall serve for the remainder of the unexpired term."

AMENDMENT NO. 15

On page 11, line 2, delete "Section 20" and insert "Sections 3(A), 11, and 20"

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1323—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:706 and 707, relative to fees paid for the hazardous liquid pipeline program; to provide relative to the collection and amounts of such fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1323 by Representative Pierre

AMENDMENT NO. 1

On page 1, line 12, delete "thirty-" and on line 13, delete "five dollars" and insert in lieu thereof "twenty two dollars and forty cents"

AMENDMENT NO. 2

On page 1, line 14, after "greater." delete the remainder of the line and delete lines 15 and 16 in their entirety and on page 2, delete line 1 in its entirety and on line 2, delete "hazardous liquids program." and insert in lieu thereof the following:

"All fees collected by the commissioner shall be reasonably related to the services provided and shall be used by the office of conservation solely for the purposes of that program."

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1327—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:560 and 561, relative to pipeline safety inspection fees; to provide relative to the collection and amounts of such fees; to provide relative to persons responsible for paying such fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1327 by Representative Pierre

AMENDMENT NO. 1

On page 2, line 3, change "thirty-five" to "fifteen"

AMENDMENT NO. 2

On page 2, line 4, after "system" insert a period and delete the remainder of the line and delete lines 5 through 11 in their entirety and insert the following:

"In addition, during the period from July 1, 2003, through June 30, 2004, there shall be an additional fee not to exceed seven dollars and forty cents per mile of pipeline. The annual"

AMENDMENT NO. 3

On page 2, line 14, after "thereunder." add the following:

Page 16 HOUSE

29th Day's Proceedings - May 22, 2003

"All fees collected by the commissioner shall be reasonably related to the services provided and shall be used by the office of conservation solely for the purposes of that program."

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1536— BY REPRESENTATIVE LEBLANC AN ACT

To enact R.S. 17:3129.5, relative to a state tuition and fee policy; to authorize the Board of Regents to study and formulate a state tuition and fee policy for public postsecondary education institutions and systems; to provide for legislative review and approval of such policy; to provide relative to policy implementation and annual reports; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1536 by Representative LeBlanc

AMENDMENT NO. 1

On page 2, line 13, after "for" and before "Upon" change "review and approval" to "its review and approval and to the House Committee on Education and the Senate Committee on Education for their review and approval at a joint meeting."

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1556— BY REPRESENTATIVES SCHWEGMANN AND PEYCHAUD AN ACT

To enact R.S. 17:3351.7, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose a specified fee increase for students attending the University of New Orleans; to provide relative to waivers for certain students; to provide limitations; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1556 by Representative Schwegmann

AMENDMENT NO. 1

On page 1, line 4, after "specified" and before "students" delete "fee and a fee increase to" and insert "fee increase for"

AMENDMENT NO. 2

On page 1, line 5, after "Orleans;" and before "to provide for an effective date;" insert "to provide relative to waivers for certain students; to provide limitations;"

AMENDMENT NO. 3

On page 1, line 9, after "§3351.7." and before "use" change "Academic excellence fee; facilities" to "Facilities"

AMENDMENT NO. 4

On page 1, line 10, after "increase;" and before "University" insert "amount; waivers; limitations;" and on line 11, before "In" insert "A."

AMENDMENT NO. 5

On page 1, line 16, after "impose" and before "at the" delete "the following fee and fee increase" and insert a comma ","

AMENDMENT NO. 6

On page 1, at the end of line 17, delete the colon ":" and insert a comma ","

AMENDMENT NO. 7

On page 2, delete lines 1 through 16 in their entirety

AMENDMENT NO. 8

On page 2, at the beginning of line 17, change "(2)(a) An" to "an"

AMENDMENT NO. 9

On page 2, at the beginning of line 20, change "(b)" to "B."

AMENDMENT NO. 10

On page 2, between lines 21 and 22, insert the following:

"C. The fee increase shall be paid by all students. However, the board shall establish criteria for waiving the fee increase in cases of financial hardship as determined by the board. Information relative to such waivers and the criteria and procedures for obtaining a waiver shall be made available to all prospective students in a timely manner such that each student is informed of the availability of a waiver prior to the student making a final decision concerning attendance.

D. No proceeds for the fee increase authorized by this Section shall be used to pay the salary of any university or university system administrator."

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1576—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 24:31.5(C)(1), to provide relative to eligibility for benefits for legislative assistants; to provide eligibility criteria for participation in the state group benefits program, the state employees' retirement system, and other benefits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1576 by Representative Murray

AMENDMENT NO. 1

On page 1, line 15, after "full time" delete the comma "," and delete the remainder of the line and delete line 16 and on page 2, line 1, delete "assistant who" and insert "and who either has at least one year of experience or"

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1613—

BY REPRESENTATIVES WINSTON, R. CARTER, DOERGE, DURAND, GLOVER, GUILLORY, ILES, L. JACKSON, M. JACKSON, KATZ, MCDONALD, PERKINS, SCHWEGMANN, SHAW, STRAIN, WALKER, AND WELCH

AN ACT

To enact R.S. 46:52.1, relative to public welfare and assistance; to establish the intent of the legislature in the delivery of social services through a "no wrong door" concept; to define "integrated case management" and "service integration"; to require the secretary of the Department of Social Services to develop an integrated case management model which includes multidisciplinary teams; to require the participation of multiple departments in the development of an integrated case management model; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1613 by Representative Winston

AMENDMENT NO. 1

On page 1, line 7, delete "create a pilot program for certain"

AMENDMENT NO. 2

On page 1, line 8, delete "social services clients and"

AMENDMENT NO. 3

On page 1, line 9, delete "pilot program" insert "development of an integrated case management model"

AMENDMENT NO. 4

On page 2, line 23, change "may" to "shall"

AMENDMENT NO. 5

On page 4, delete lines 13 through 25 and insert

"D. The secretary shall provide an implementation and strategy plan for a pilot program to the House Health and Welfare Committee before March 1, 2004."

AMENDMENT NO. 6

On page 5, delete lines 1 through 8

AMENDMENT NO. 7

On page 5, line 9, change "D." to "E."

AMENDMENT NO. 8

On page 5, line 11, change "are urged to" to "shall"

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1783—

BY REPRESENTATIVE WRIGHT

AN ACT

To amend and reenact R.S. 52:5, relative to jurisdiction over land sited in the state but under custody of the United States; to extend the period within which that concurrent jurisdiction shall apply; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. Pierre, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1786—

BY REPRESENTATIVE ALARIO AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 17:3351.3(C) and to enact R.S. 17:1855.1, 3351.3(D), and 3351.7, to authorize the boards of supervisors of the Southern University System, the Louisiana State University System, and the University of Louisiana System to impose an academic excellence fee for students attending the institutions under the management and supervision of each board; to provide for the fee amounts; to provide relative to waivers for certain students; to provide limitations; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by the House Committee on Education to Original House Bill No. 1786 by Representative Alario and Senator B. Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete line 3 in its entirety and insert the following:

"amend and reenact R.S. 17:3351.3(C) and to enact R.S. 17:1855.1, 3351.3(D), and 3351.7, to authorize the boards of supervisors of the Southern University System, the Louisiana State University System, and the University of Louisiana System to impose an academic excellence fee"

AMENDMENT NO. 2

On page 1, line 5, after "of" and before "board" change "the" to "each"

AMENDMENT NO. 3

On page 1, line 5, after "fee" change "amount;" to "amounts;"

AMENDMENT NO. 4

On page 1, line 6, after "students;" and before "to" insert "to provide limitations;"

AMENDMENT NO. 5

On page 1, line 9, after "Section 1." and before "to read" change "R.S. 17:3351.7 is hereby enacted" to "R.S. 17:3351.3(C) is hereby amended and reenacted and R.S. 17:1855.1, 3351.3(D), and 3351.7 are hereby enacted"

AMENDMENT NO. 6

On page 1, between lines 9 and 10, insert the following:

"§1855.1. Academic excellence fee; amount; waivers: Southern University and Agricultural and Mechanical College

A. In addition to the authority granted to the Board of Supervisors of Southern University and Agricultural and Mechanical College by R.S. 17:1855(A)(2), 3351(A)(5), and 3351.1 and in accordance with Article VII, Section 2.1(A) of the Constitution of Louisiana, the board may provide for the assessment of an academic excellence fee at each baccalaureate degree granting institution under its management and supervision effective for the Fall, 2003, academic session and thereafter. The fee shall be in addition to any other tuition or attendance fees and charges established by the board.

B.(1) The fee amount per student shall not exceed ten dollars per credit hour per academic session and shall not exceed one hundred twenty dollars per academic session.

(2) The fee shall not be a cost that is payable by the state on behalf of any student who is a recipient of an award under the Tuition Opportunity Program for Students.

(3) The fee shall be paid by all students. However, the board shall establish criteria for waiving the fee in cases of financial hardship as determined by the board. Information relative to such waivers and the criteria and procedures for obtaining a waiver shall be made available to all prospective students in a timely manner such that each student is

informed of the availability of a waiver prior to the student making a final decision concerning attendance at any institution under the management and supervision of the board.

C. Fee proceeds shall be used to promote academic excellence at each institution by enhancing instructional programs. However, no proceeds shall be used to pay the salary of any university or university system administrator.

* * *

§3351.3. Academic excellence fee; Louisiana State University and Agricultural and Mechanical College

* * *

C.(1) In addition to the fees authorized in Subsections A and B of this Section and in accordance with Article VII, Section 2.1(A) of the Constitution of Louisiana, beginning with students enrolling for the Fall, 2003, academic session the board may provide for the assessment of an academic excellence fee at each baccalaureate degree granting institution under its management and supervision.

(2) The fee amount shall not exceed ten dollars per credit hour per academic session and shall not exceed one hundred twenty dollars per academic session.

(3) The fee shall not be a cost that is payable by the state on behalf of any student who is a recipient of an award under the Tuition Opportunity Program for Students.

(4) The fee shall be paid by all students. However, the board shall establish criteria for waiving the fee in cases of financial hardship as determined by the board. Information relative to such waivers and the criteria and procedures for obtaining a waiver shall be made available to all prospective students in a timely manner such that each student is informed of the availability of a waiver prior to the student making a final decision concerning attendance at any institution under the management and supervision of the board.

~~C.~~ D. Fee proceeds shall be used to promote academic excellence at the institution by enhancing instructional programs. However, no proceeds shall be used to pay the salary of any university or university system administrator.

* * *

AMENDMENT NO. 7

On page 2, at the end of line 19, add "However, no proceeds shall be used to pay the salary of any university or university system administrator."

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1802—

BY REPRESENTATIVES HUNTER, HONEY, AND PEYCHAUD
AN ACT

To enact R.S. 17:1855(D), to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to impose specific increases in tuition amounts for students enrolled at the law center; to provide limitations; to provide for effectiveness; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1802 by Representative Hunter

AMENDMENT NO. 1

On page 1, line 4, after "center;" and before "to" insert "to provide limitations;"

AMENDMENT NO. 2

On page 2, at the end of line 14, add the following:

"Proceeds from the tuition increases authorized by this Subsection shall not be used to pay salaries of law center administrators or other university or university system administrators."

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1810—

BY REPRESENTATIVES BEARD AND SHAW AND SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 40:1299.36, 1299.36.1, and 1299.36.2 and to repeal Section 3 of Act No. 788 of the 1999 Regular Session of the Legislature, relative to human cloning; to prohibit human cloning; to provide for definitions; to provide for exceptions; to provide for criminal penalties; to repeal the termination date of provisions that prohibit human cloning; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1810 by Representative Beard

AMENDMENT NO. 1

On page 3, line 16, after "biomedical" and before the period "." insert "research"

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1991—

BY REPRESENTATIVE FUTRELL

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.183.1 through 1300.183.11, relative to the Louisiana Seniors Pharmacy Assistance Program; to provide for definitions; to create the Louisiana Seniors Pharmacy Assistance Program; to provide for eligibility, services, denial, modification, and suspension or termination of services and an appeal procedure and judicial review; to provide for reimbursement and recovery of costs for services provided; to provide for the powers, duties, and responsibilities of the Department of Health and Hospitals, including funding; to provide for annual reporting; to provide for promulgation of rules and regulations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 2024 (Substitute for House Bill 1991 by Representative Futrell)—

BY REPRESENTATIVE FUTRELL

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Elderly Medication Program; to provide for definitions; to create the Louisiana Elderly Medication Program; to provide for eligibility to provide for the responsibilities of the Office of Elderly Affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

Read by title.

On motion of Rep. Durand, the substitute was adopted and became House Bill No. 2024 by Rep. Futrell, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 1991 by Rep. Futrell.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 2021 (Substitute for House Bill No. 1162 by Representative Diez)—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1(40), 1301, and 1304(A)(1) and (2) and R.S. 47:463(A)(1)(introductory paragraph) and to enact R.S. 32:300.1, relative to motor vehicles; to provide relative to the definition of "motor vehicle"; to include "low-speed vehicles" within the definition of "motor vehicle"; to provide relative to requirements of "low-speed vehicles"; to exempt "low-speed vehicles" from certain requirements of motor vehicles; and to provide for related matters.

Read by title.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Page 20 HOUSE

29th Day's Proceedings - May 22, 2003

HOUSE BILL NO. 2022 (Substitute for House Bill No. 1932 by Representative Daniel)— BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 30:2015.1, relative to the remediation of usable ground water; to provide for purpose; to provide for notice of actions to recover damages for usable ground water contamination; to provide for certain state departments intervening or being made parties to such actions; to provide for remediation plans and response by certain state agencies; to provide for damages to be placed into the registry of the court; to provide for certain court costs; to provide for expenditure of funds from such registry; to provide for posting of bonds; and to provide for related matters.

Read by title.

On motion of Rep. Daniel, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 32— BY SENATOR DUPRE

AN ACT

To enact R.S. 38:291(U)(2)(d), relative to the Terrebonne Levee and Conservation District; to provide for the membership of the board of commissioners; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 33— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:291(P)(2) and 304(B) and to enact R.S. 38:291(P)(4), relative to the South Lafourche Levee District; to provide for membership of the board of commissioners; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 33 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 4, change "Two" to "Three"

AMENDMENT NO. 2

On page 2, line 6, change "Two" to "Three"

AMENDMENT NO. 3

On page 2, at the end of line 7, after the period "." insert the following:

"These members shall not be subject to Senate confirmation."

AMENDMENT NO. 4

On page 2, delete lines 16 through 19 in their entirety and at the beginning of line 20 change "(f)" to "(e)"

AMENDMENT NO. 5

On page 2, delete lines 24 and 25 in their entirety and at the beginning of line 26 change "(h)" to "(f)"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 34— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:291(T)(2) and 304(B) and to enact R.S. 38:291(T)(4), relative to the North Lafourche Conservation, Levee and Drainage District; to provide for membership of the board of commissioners; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original Senate Bill No. 34 by Senator Dupre

AMENDMENT NO. 1

On page 2, delete lines 4 through 6 and insert the following:

"(a) Each of the six state legislators representing any part of the district shall submit nominations, and the Governor shall appoint one member from each such list of nominees."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 41—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:217(A), relative to roads and highways; to provide for the acquisition of rights-of-way on certain highway projects; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 44—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:252(A)(2) and (B)(1), relative to roads and highways; provides for alternate bids on selected highway project contracts; requires quarterly reports on the bids; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 44 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "R.S." change "48:252(A)(2) and (B)(1)," to "48:252(B)(1),"

AMENDMENT NO. 2

On page 1, line 7, after "R.S." change "48:252(A)(2) and (B)(1) are" to "48:252(B)(1) is"

AMENDMENT NO. 3

On page 1, delete lines 11 through 15 in their entirety

AMENDMENT NO. 4

On page 2, delete lines 1 through 12 in their entirety

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 64—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 9:5701, relative to prescription; to provide a ten-year prescriptive period for educational debts owed to certain institutions of higher education; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 78—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 2:135.1 (E), relative to airports and landing fields; to redefine the term "fixed base operator"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 109—

BY SENATOR DUPRE

AN ACT

To enact Part XV-A of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3086.21 through 3086.26, and to repeal Act No. 113 of the 1950 Regular Session, Act No. 192 of the 1952 Regular Session, Act No. 13 of the 1958 Extraordinary Session, Act No. 186 of the 1970 Regular Session, Act No. 393 of the 1981 Regular Session, Act No. 31 of the 1983 First Extraordinary Session, Act No. 905 of the 1991 Regular Session, Act No. 196 of the 1992 Regular Session, Act No. 953 of the 1995 Regular Session, Act No. 82 of the 1996 Extraordinary Session, Act No. 521 of the 1997 Regular Session, Act No. 2 of the 1998 Extraordinary Session, Act No. 803 of the 2001 Regular Session, Act No. 19 of the 2002 Extraordinary Session, and Act No. 95 of the 2002 Extraordinary Session, relative to the Bayou Lafourche Freshwater District; to codify certain existing laws governing the creation and powers, duties, functions, and responsibilities of the Bayou Lafourche Fresh Water District and the board of commissioners of the district; to provide for the powers, duties, functions, and responsibilities of the board; to provide for the selection of commissioners from the parish of Lafourche; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 113—

BY SENATOR DUPRE

AN ACT

To enact R.S. 32:414(P), relative to motor vehicles; to provide for the suspension of a driver's license for certain criminal violations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 214—

BY SENATORS DUPRE, CAIN, SCHEDLER, ADLEY, BARHAM, BOISSIERE, CHAISSON, CRAVINS, DARDENNE, FIELDS, ELLINGTON, FONTENOT, GAUTREAUX, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, TARVER, THEUNISSEN AND THOMAS AND REPRESENTATIVES PITRE AND DOWNER

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10.2(B) and (C) and 10.5(C) of the Constitution of Louisiana and to add Article VII, Section 10(D)(2)(e) and (f) of the Constitution of Louisiana, relative to state funds; to provide for credit and appropriation of monies in the Mineral Revenue Audit and Settlement Fund for deposit in the Wetlands Conservation and Restoration Fund; to provide for the cap on the balance of certain mineral revenues that can be in the balance of the Wetlands Conservation and Restoration Fund; to provide for the allocation of appropriation of nonrecurring revenues for deposit into the Wetlands Conservation and Restoration Fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 214 by Senator Dupre

AMENDMENT NO. 1

Delete House Committee Amendments No. 7 and 8 proposed by the House Committee on Appropriations and adopted by the House of Representatives on May 20, 2003.

AMENDMENT NO. 2

On page 5, delete lines 13 through 17 and insert "Authorizes the legislature to annually appropriate an additional fifty million dollars from the"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Johns, the amendments were adopted.

On motion of Rep. Johns, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 261—

BY SENATOR HOYT

AN ACT

To repeal R.S. 48:491(B)(3), relative to roads and highways; to provide with respect to local and parish roads and eliminate an exception for Vermilion Parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 353—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:408(B)(6), relative to driver's licenses; to provide for the office of motor vehicles to issue a temporary driver's permit under certain conditions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 402—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2012(D), relative to environmental quality; to provide that the Department of Environmental Quality develop new criteria for compliance inspections; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Engrossed Senate Bill No. 402 by Senator Fontenot

AMENDMENT NO. 1

On page 2, at the beginning of line 5, insert "A."

AMENDMENT NO. 2

On page 3, at the beginning of line 2, insert "B."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 402 by Senator Fontenot

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Environment, on line 2, change "A." to "(1)"; and, in Amendment No. 2, on line 4, change "B." to "(2)"

AMENDMENT NO. 2

On page 2, line 20, change "1." to "(a); and on line 21, change "2." to "(b)"; and on line 22, change "3." to "(c)"; and on line 23, change "4." to "(d)"; and on line 24, change "5." to "(e)"; and on line 26, change "6." to "(f)"

On motion of Rep. Damico, the amendments were adopted.

On motion of Rep. Damico, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 554— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 14:98(K)(1) and (K)(2)(a) and the introductory paragraph of 334(A), R.S. 32:378.2(A)(1) and (2)(a), 414(A)(1)(b) and (3)(c) and (B)(2)(b), the introductory paragraph of 415.1(A)(1), 430(E) and (F)(1), 667(B)(3), and 668(B)(1)(c), to enact R.S. 14:98(C)(4) and (K)(4) and to repeal R.S. 15:306, relative to driver's licenses; to prohibit any person placed on probation or had his license suspended for a second or subsequent conviction of driving while intoxicated from obtaining a restricted driver's license; to remove the exception allowing such person to obtain a restricted license if an ignition interlock device is installed on his motor vehicle; to authorize a license at the conclusion of such license suspension with the installation of an ignition interlock device; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 554 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 5, after "and (F)(1)," change "667(B)(3)" to "667(B)(2) and (3)"

AMENDMENT NO. 2

On page 1, line 6, after "(K)(4)" insert "and R.S. 32:414(A)(1)(c),"

AMENDMENT NO. 3

On page 1, line 13, after "device;" insert the following:

"to require the installation of an ignition interlock device at the conclusion of any license suspension resulting from the offense of driving while intoxicated under certain circumstances; to provide relative to refusal of a person to submit to a chemical test relative to an arrest for driving while intoxicated; to require installation of an ignition interlock device at the conclusion of a license suspension for such person;"

AMENDMENT NO. 4

On page 2, at the end of line 13, delete with a title or and at the beginning of line 14, delete registration upon which the offender's name appears"

AMENDMENT NO. 5

On page 2, delete line 25

AMENDMENT NO. 6

On page 3, at the end of line 15, delete "of the" and at the beginning of line 16 delete "offender's motor vehicles." and insert "motor vehicle that the offender operates."

AMENDMENT NO. 7

On page 4, delete line 4, and insert the following:

"667(B)(2) and (3) and 668(B)(1)(c) are hereby amended and reenacted and R.S. 32:414(A)(1)(c) is hereby enacted to read as"

AMENDMENT NO. 8

On page 6, line 7, after "vehicle" delete the remainder of the line and at the beginning of line 8, delete "licensee's name appears" and insert "he operates"

AMENDMENT NO. 9

On page 6, line 20, after "each of the" delete "offender's motor vehicles" and insert "vehicles he operates"

AMENDMENT NO. 10

On page 6, after line 26, insert the following:

"(c) When any licensee who has had his driver's license suspended for operating a motor vehicle while under the influence of alcoholic beverages under the provisions of this Subsection and who at the time of his arrest for such offense had a blood alcohol concentration of .15 percent or more by weight based on grams of alcohol per one hundred cubic centimeters of blood, or if at the time of his arrest was involved in a traffic crash, or if at the time of his arrest had a minor child twelve years of age or younger in his vehicle, such licensee shall have his license reinstated in accordance with the provisions of this Subparagraph. Following the conclusion of the suspension of his license, the licensee shall be eligible to apply for a driver's license upon proof that any motor vehicle he operates has been equipped with a functioning ignition interlock device. The ignition interlock device shall remain on the motor vehicle for not less than six months from the date the driver's license is granted."

AMENDMENT NO. 11

On page 7, line 26, delete "with a title or registration on which his name appears" and insert "which he operates"

Page 24 HOUSE

29th Day's Proceedings - May 22, 2003

AMENDMENT NO. 12

On page 8, between lines 8 and 9, insert the following:

"(b)(ii) The Department of Public Safety and Corrections, office of motor vehicles, may promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary to implement the provisions of this Subparagraph."

AMENDMENT NO. 13

On page 8, line 9, change "R.S. 32:414(B)(2)(b)(ii)" to "R.S. 32:414(B)(2)(b)(iii)"

AMENDMENT NO. 14

On page 8, at the beginning of line 10, change "(ii)" to "(iii)"

AMENDMENT NO. 15

On page 8, line 15, after "each of the" delete "offender's motor vehicles" and insert "vehicles he operates"

AMENDMENT NO. 16

On page 11, between lines 3 and 4, insert the following:

"(2)(a) If the person had refused to submit to the test, his driving privileges shall be suspended for one hundred eighty days from the date of suspension on first refusal and five hundred forty-five days from the date of suspension, without benefit of eligibility for a hardship license, on the second and subsequent refusals occurring within five years of the first refusal. However, if the person was under the age of twenty-one years at the time of first refusal, his driver's license shall be suspended one hundred eighty days from the date of suspension.

"(b) Following the conclusion of the suspension required under the provisions of Subparagraph (a) of this Paragraph of any person who has had his license suspended for any refusal to submit to the test, such person shall be eligible to apply for a driver's license upon proof that any motor vehicle which he operates has been equipped with a functioning ignition interlock device. The ignition interlock device shall remain on the motor vehicle for not less than six months from the date the driver's license is granted."

AMENDMENT NO. 17

On page 12, after line 5, insert the following:

"Section 4. This Act shall take effect and become operative if and when the Act which originated as Senate Bill 767 of the 2003 Regular Session of the Legislature is enacted and becomes effective."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 554 by Senator Dupre

AMENDMENT NO. 1

In House Committee Amendment No. 12 proposed by the House Committee on Transportation, Highways and Public Works, on line 30, at the beginning of the line, delete "(b)"

AMENDMENT NO. 2

On page 10, line 16, following "401" change "(20)" to "(10)"

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 577— BY SENATOR FONTENOT

AN ACT

To enact R.S. 30:2025(D), relative to enforcement of environmental violations; to provide for a program for expedited enforcement for minor environmental violations; to authorize the secretary to promulgate rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Damico, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 591— BY SENATOR DARDENNE

AN ACT

To enact R.S. 33:9029.2(C), relative to cooperative endeavors involving the state; to require approval of public contracts for such cooperative endeavors by the State Bond Commission prior to execution; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hammett, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 621— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 47:463.94(C), relative to special prestige license plates; to provide for the royalty fee for the Camp Woodmen license plate; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 665—
BY SENATOR HEITMEIER

AN ACT

To designate certain portions of Louisiana Highway 23 as the Mel Ott Parkway; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 729—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:387.5, relative to special permits; to authorize vehicles traveling under special permits to use a portion of Interstate 49 as an alternate route for certain highways; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 829—
BY SENATOR BARHAM

AN ACT

To enact Part XXVI of Chapter 13 of Title 38, consisting of R.S. 38:3087.190 through 3087.194, relative to water conservation; to create the Morehouse Parish Lake Commission; to provide for powers, membership, officers, terms, meetings, and compensation of the commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 854—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 32:364(A), relative to motor vehicles; to provide for certain safety devices on motor vehicles; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 988—

BY SENATORS MOUNT AND CAIN AND REPRESENTATIVE JOHNS

AN ACT

To designate a certain portion of Louisiana Highway 27 in Calcasieu Parish as the Horace Lynn Jones Memorial Highway; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1047 (Substitute for Senate Bill No. 48)—
BY SENATOR HAINKEL

AN ACT

To designate a portion of Interstate 55 as the "Congressman Jimmy Morrison Highway".

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1093—
BY SENATOR FIELDS

AN ACT

To enact R.S. 47:463.111, relative to motor vehicle license plates; to provide for a special prestige license plate for the Louisiana Leadership Institute; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Diez, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**House and House Concurrent Resolutions on
Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 112—
BY REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To direct the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A to conduct hearings in cooperation with the Governor's Commission on Marriage and Families regarding the empirical study of covenant marriage legislation.

Suspension of the Rules

On motion of Rep. Perkins, and under a suspension of the rules, the above resolution was taken up out of its regular order at this time.

Read by title.

Rep. Perkins moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Bowler	Hebert	Richmond
Broome	Hill	Romero
Bruce	Honey	Salter
Bruneau	Hudson	Schneider
Carter, K	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Crane	Iles	Smith, G.—56th
Crowe	Jackson, L	Smith, J.D.—50th
Curtis	Jackson, M	Smith, J.R.—30th
Damico	Johns	Sneed
Daniel	Katz	Strain
Dartez	Kennard	Swilling
Diez	Kenney	Thompson
Doerge	LaFleur	Toomy
Downs	Lancaster	Townsend
Durand	LeBlanc	Triche
Erdey	Lucas	Tucker
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Frith	Murray	Wright
Fruge	Odinet	
Total—86		

NAYS

Total—0

ABSENT

Ansardi	Hopkins	Smith, J.H.—8th
Beard	Landrieu	Stelly
Capella	Martiny	Waddell
Cazayoux	McDonald	Winston
Devillier	McVea	Wooton
Downer	Nevers	
Flavin	Scalise	
Total—19		

The resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Diez, the rules were suspended in order to take up and consider Senate Concurrent Resolutions on Third Reading for Final Consideration at this time.

**Senate Concurrent Resolutions on
Third Reading for Final Consideration**

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 51—

BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study re-routing truck traffic from Jackson Street in the city of Thibodaux.

Read by title.

On motion of Rep. Diez, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATORS GAUTREAU, LAMBERT AND MCPHERSON AND REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To re-create and continue a study commission to coordinate state policy options to mitigate the projected impact of global changes in climate as they relate to Louisiana business, wetlands, agricultural activities, economy, and environment.

Read by title.

Rep. Diez moved the concurrence of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Ansardi	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Schneider
Bowler	Honey	Schwegmann
Broome	Hopkins	Shaw
Bruce	Hunter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Carter, K	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Katz	Strain
Damico	Kennard	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Diez	Lancaster	Townsend
Doerge	LeBlanc	Triche
Downs	Martiny	Tucker

Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrish	Walsworth
Farrar	Murray	Welch
Fauchoux	Nevers	Wooton
Flavin	Odinet	Wright
Frith	Perkins	
Früge	Psychaud	
Total—91		

NAYS

Total—0

ABSENT

Capella	Hudson	Morrell
Cazayoux	Hutter	Scalise
Curtis	Landrieu	Smith, J.R.—30th
Devillier	Lucas	Winston
Downer	McDonald	
Total—14		

The resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATOR MOUNT**A CONCURRENT RESOLUTION**

To create and provide with respect to a task force to study common driver distractions, including communications technology and nontechnological activities, and submit recommendations to the legislature.

Read by title.

Rep. Diez moved the concurrence of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Psychaud
Alario	Früge	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Glover	Powell
Baldone	Green	Quezaire
Baudoin	Guillory	Richmond
Baylor	Hammett	Romero
Beard	Heaton	Salter
Bowler	Hebert	Schneider
Broome	Hill	Schwegmann
Bruce	Honey	Shaw
Bruneau	Hopkins	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, K	Hutter	Smith, J.H.—8th
Carter, R	Iles	Smith, J.R.—30th
Crane	Jackson, L	Sneed
Crowe	Jackson, M	Stelly
Damico	Johns	Strain
Daniel	Katz	Swilling
Dartez	Kennard	Thompson
Devilleier	Kenney	Toomy
Diez	Lancaster	Townsend
Doerge	LeBlanc	Triche
Downer	Martiny	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Welch
Farrar	Nevers	Wooton
Fauchoux	Odinet	Wright

Flavin	Perkins	
Total—95		
	NAYS	
Total—0		
	ABSENT	
Cazayoux	Landrieu	Scalise
Curtis	Lucas	Winston
Hudson	McDonald	
LaFleur	Morrell	
Total—10		

The resolution was concurred in.

Recess

On motion of Rep. Bruneau, the Speaker declared the House at recess until 2:15 P.M.

After Recess

Speaker DeWitt called the House to order at 2:15 P.M.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Frith	Pierre
Alario	Früge	Pinac
Alexander	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezaire
Baylor	Hill	Romero
Beard	Hopkins	Salter
Bowler	Hudson	Schneider
Broome	Hunter	Shaw
Bruce	Hutter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Capella	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Dartez	LaFleur	Toomy
Devilleier	Lancaster	Townsend
Diez	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McVea	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Wooton
Fauchoux	Nevers	Wright
Flavin	Psychaud	
Total—80		

ABSENT

Ansardi	Glover	Perkins
Arnold	Green	Richmond
Carter, K	Guillory	Scalise
Crane	Honey	Schwegmann
Daniel	Landrieu	Swilling
Doerge	LeBlanc	Triche
Downer	McDonald	Winston
Futrell	Montgomery	
Gallot	Odinet	
Total—25		

Page 28 HOUSE

29th Day's Proceedings - May 22, 2003

The Speaker announced there were 80 members present and a quorum.

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 3— BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM AN ACT

To enact the Omnibus Bond Authorization Act of 2003, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hammett, the bill was returned to the calendar.

HOUSE BILL NO. 105— BY REPRESENTATIVE PITRE A JOINT RESOLUTION

Proposing to amend Article XIII, Section 2 of the Constitution of Louisiana, relative to constitutional conventions; to provide that the law calling for a constitutional convention may limit the matters to be considered by the constitutional convention; to provide relative to the effectiveness of certain proposals by a constitutional convention; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Pitre, the bill was returned to the calendar.

HOUSE BILL NO. 150— BY REPRESENTATIVE TUCKER AN ACT

To enact R.S. 45:844.4 and 844.8, relative to telephonic solicitations; to provide relative to solicitations to wireless subscribers; to provide for definitions; to prohibit certain solicitations; to provide for responsibility; to provide for investigations and penalties; and to provide for related matters.

Read by title.

Rep. Tucker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Peychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Futrell	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Carter, K	Downer	Scalise
Curtis	Landrieu	
Doerge	McDonald	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Tucker moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 173— BY REPRESENTATIVE PINAC AN ACT

To enact R.S. 45:844.12(4)(g), relative to telephonic solicitations; to provide for definitions; to provide for exceptions; and to provide for related matters.

Read by title.

Rep. Pinac sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Engrossed House Bill No. 173 by Representative Pinac

AMENDMENT NO. 1

On page 2, delete lines 11 and 12 and insert the following:

"to the telephonic solicitor or be placed to an individual who is personally known to the telephonic solicitor. If placed as the result of a referral, the telephonic solicitor must provide to the person called the name of the person who made the referral. If the"

On motion of Rep. Pinac, the amendments were adopted.

Rep. Pinac moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hill	Richmond
Baylor	Honey	Romero
Beard	Hopkins	Salter
Bowler	Hudson	Scalise
Broome	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jackson, M	Shaw
Capella	Johns	Smith, G.—56th
Crane	Katz	Smith, J.D.—50th
Crowe	Kennard	Smith, J.H.—8th
Curtis	Kenney	Smith, J.R.—30th
Damico	LaFleur	Sneed
Daniel	Lancaster	Stelly
Devillier	LeBlanc	Strain
Diez	Lucas	Swilling
Downs	Martiny	Thompson
Durand	McVea	Toomy
Erdey	Montgomery	Townsend
Farrar	Morrell	Triche
Faucheux	Morrish	Waddell
Flavin	Murray	Walker
Frith	Nevers	Walsworth
Fruge	Odinet	Welch
Futrell	Perkins	Winston
Gallot	Peychaud	Wooton
Glover	Pierre	Wright
Total—90		

NAYS

Alexander	Cazayoux	Jackson, L
Baudoin	Fannin	
Carter, R	Hutter	
Total—7		

ABSENT

Carter, K	Downer	McDonald
Dartez	Hebert	Tucker
Doerge	Landrieu	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Sneed, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

HOUSE BILL NO. 453—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 9:5607, relative to civil liability for damages; to provide for peremption of actions for damages against a professional engineer, surveyor, and architect; to provide for applicability; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hammett, the bill was returned to the calendar.

HOUSE BILL NO. 499 (Duplicate of Senate Bill No. 64)—

BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:5701, relative to prescription; to provide a ten-year prescriptive period for educational debts owed to institutions of higher education; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Townsend, the bill was returned to the calendar.

HOUSE BILL NO. 542—

BY REPRESENTATIVE DANIEL

A JOINT RESOLUTION

Proposing to amend Article III, Section 18(C)(1) of the Constitution of Louisiana, to provide relative to veto sessions; to provide for the vote to subsequently approve a vetoed bill or line items; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Ansardi	Flavin	LaFleur
Arnold	Futrell	Lancaster
Baudoin	Gallot	Lucas
Baylor	Glover	Martiny
Beard	Green	Montgomery
Bowler	Guillory	Murray
Bruce	Hebert	Pierre
Capella	Honey	Pitre
Carter, R	Hopkins	Powell
Curtis	Hunter	Richmond
Daniel	Hutter	Shaw

Page 30 HOUSE

29th Day's Proceedings - May 22, 2003

Dartez
Devillier
Diez
Erdey
Farrar
Total—48

Iles
Jackson, L
Jackson, M
Johns
Kenney

Smith, G.—56th
Triche
Waddell
Welch
Wright

NAYS

Mr. Speaker
Alario
Alexander
Baldone
Broome
Bruneau
Cazayoux
Crowe
Damico
Downer
Downs
Durand
Fannin
Faucheux
Frith
Fruge
Total—47

Hammett
Heaton
Hill
Katz
Kennard
LeBlanc
McDonald
McVea
Morrell
Morrish
Nevers
Odinet
Perkins
Pinac
Quezaire
Romero

Salter
Schneider
Schwegmann
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Thompson
Toomy
Townsend
Walker
Walsworth
Wooton

ABSENT

Carter, K
Crane
Doerge
Hudson
Total—10

Landrieu
Peychaud
Scalise
Swilling

Tucker
Winston

The bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

HOUSE BILL NO. 628—

BY REPRESENTATIVE LANCASTER

A JOINT RESOLUTION

Proposing to amend Article IV, Section 3(B) of the Constitution of Louisiana, relative to the term of office of the governor; to prohibit a person who has served one full term as governor from being elected governor for the succeeding term; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Rep. Lancaster moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Ansardi
Baudoin
Bowler
Bruce
Bruneau
Capella
Crowe
Daniel
Dartez
Fannin
Farrar

Fruge
Futrell
Heaton
Iles
Johns
Katz
Kenney
LaFleur
Lancaster
Martiny
Odinet

Pitre
Scalise
Shaw
Smith, G.—56th
Smith, J.R.—30th
Sneed
Stelly
Thompson
Triche
Walsworth
Wright

Flavin
Total—35

Perkins

NAYS

Mr. Speaker
Alario
Alexander
Arnold
Baldone
Baylor
Beard
Broome
Carter, K
Carter, R
Cazayoux
Curtis
Damico
Devilleier
Diez
Downer
Downs
Durand
Erdey
Faucheux
Frith
Glover
Total—65

Green
Guillory
Hammett
Hebert
Hill
Honey
Hudson
Hunter
Hutter
Jackson, L
Jackson, M
Kennard
Landrieu
LeBlanc
Lucas
McDonald
McVea
Morrell
Morrish
Murray
Nevers
Peychaud

Pierre
Pinac
Powell
Quezaire
Richmond
Romero
Salter
Schneider
Schwegmann
Smith, J.D.—50th
Smith, J.H.—8th
Strain
Swilling
Toomy
Townsend
Tucker
Waddell
Walker
Welch
Winston
Wooton

ABSENT

Crane
Doerge
Total—5

Gallot
Hopkins

Montgomery

The chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

Rep. Hunter moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 636—

BY REPRESENTATIVE LANCASTER

A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to amend Article III, Section 7(C) and Article IV, Sections 6 and 14, relative to the powers, duties, and functions of the lieutenant governor; to provide for the lieutenant governor to be the presiding officer of the Senate; to provide for the powers, functions, and duties of the presiding officer of the Senate; to provide relative to gubernatorial succession; to provide for effectiveness; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Lancaster, the bill was returned to the calendar.

HOUSE BILL NO. 655—

BY REPRESENTATIVE HEBERT

A JOINT RESOLUTION

Proposing to amend Article III, Section 16(B) of the Constitution of Louisiana, to provide for the house of origin for bills raising revenue; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Rep. Hebert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed House Bill No. 655 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 1, after "bills" delete "for" and insert "whose object is the"

AMENDMENT NO. 2

On page 2, line 1, after "raising" insert "of"

On motion of Rep. Hebert, the amendments were adopted.

Rep. Hebert moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Carter, R	Hudson	Pierre
Curtis	Hunter	Quezaire
Daniel	Jackson, L	Romero
Dartez	Jackson, M	Scalise
Erdey	Johns	Smith, G.—56th
Früge	Kennard	Smith, J.D.—50th
Futrell	Lucas	Swilling
Glover	Martiny	Triche
Green	McVea	Walsworth
Guillory	Morrell	Welch
Hebert	Murray	Wooton
Honey	Peychaud	Wright
Total—36		

NAYS

Mr. Speaker	Durand	Odinot
Alario	Fannin	Perkins
Alexander	Farrar	Pinac
Ansardi	Faucheux	Pitre
Arnold	Flavin	Salter
Baldone	Frith	Schneider
Baudoin	Hammett	Schwegmann
Baylor	Heaton	Shaw
Beard	Hill	Smith, J.H.—8th
Bowler	Hutter	Smith, J.R.—30th
Broome	Iles	Sneed
Bruce	Katz	Stelly
Bruneau	Kenney	Strain
Carter, K	LaFleur	Thompson
Cazayoux	Lancaster	Toomy
Crowe	Landrieu	Townsend
Damico	LeBlanc	Tucker
Devillier	McDonald	Waddell
Downer	Morrish	Walker
Downs	Nevers	
Total—59		

ABSENT

Capella	Gallot	Richmond
Crane	Hopkins	Winston
Diez	Montgomery	
Doerge	Powell	
Total—10		

The chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

Rep. Alario moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 679—

BY REPRESENTATIVE HEBERT

A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to amend Article III, Section 5(A) and Article IV, Section 3(A) and to add Article IV, Section 3(E), to change the date that statewide elected officials and members of the legislature take office; to provide relative to the election of the statewide elected officials and members of the legislature; to extend the term of office of the statewide elected officials and members of the legislature; to specify a date on which members of the legislature take office; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hebert, the bill was returned to the calendar.

HOUSE BILL NO. 105—

BY REPRESENTATIVE PITRE

A JOINT RESOLUTION

Proposing to amend Article XIII, Section 2 of the Constitution of Louisiana, relative to constitutional conventions; to provide that the law calling for a constitutional convention may limit the matters to be considered by the constitutional convention; to provide relative to the effectiveness of certain proposals by a constitutional convention; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pitre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander	Futrell	Powell
Baldone	Glover	Richmond
Beard	Guillory	Romero
Bowler	Heaton	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Shaw
Capella	Hutter	Smith, G.—56th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Johns	Sneed
Daniel	Katz	Swilling
Devillier	Kennard	Toomy
Diez	Lancaster	Triche
Downer	McDonald	Tucker
Downs	McVea	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Welch
Farrar	Odinot	Winston

Page 32 HOUSE

29th Day's Proceedings - May 22, 2003

Faucheux
Frith
Fruge
Total—58

Psychaud
Pierre
Pitre

Wright

NAYS

Mr. Speaker
Alario
Baylor
Broome
Carter, K
Carter, R
Curtis
Damico
Darte
Durand
Gallot
Green
Hammett
Total—39

Hebert
Hill
Hudson
Hunter
Iles
Jackson, M
Kenney
Landrieu
LeBlanc
Lucas
Martiny
Montgomery
Morrell

Nevers
Perkins
Pinac
Quezaire
Schneider
Schwegmann
Smith, J.D.—50th
Smith, J.H.—8th
Strain
Thompson
Townsend
Waddell
Wooton

ABSENT

Ansardi
Arnold
Baudoin
Total—8

Cazayoux
Doerge
Flavin

LaFleur
Stelly

The bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

HOUSE BILL NO. 811—

BY REPRESENTATIVE MURRAY

AN ACT

To enact Chapter 31 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2091 through 2094, relative to the Southeast Louisiana Transportation Authority; to create the Southeast Louisiana Transportation Authority to discuss and coordinate transportation issues pertaining to southeast Louisiana; and to establish the boundaries thereof; to provide for a board of commissioners; to provide for membership of such board its powers, duties, and functions; and to provide for related matters.

Read by title.

Rep. Tucker sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 811 by Representative Murray

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "Southeast" and at the beginning on line 4, delete "Louisiana" and insert "Orleans and Jefferson Parish" and on page 1, line 4, change "Southeast Louisiana" to "Orleans and Jefferson Parish"

AMENDMENT NO. 2

On page 1, line 6, change "southeast Louisiana" to "Orleans and Jefferson Parish"

AMENDMENT NO. 3

On page 2, line 1, change "SOUTHEAST LOUISIANA" to "ORLEANS AND JEFFERSON PARISH"

AMENDMENT NO. 4

On page 2, line 6, change "Southeast Louisiana" to "Orleans and Jefferson Parish"

AMENDMENT NO. 5

On page 2, line 8, change "Southeast Louisiana" to "Orleans and Jefferson Parish"

AMENDMENT NO. 6

On page 2, delete line 11 in its entirety and insert "Orleans and Jefferson."

AMENDMENT NO. 7

On page 2, delete line 15 in its entirety and insert "Orleans Parish and Jefferson Parish."

AMENDMENT NO. 8

On page 3, between lines 3 and 4 insert the following:

"(h) The president of Jefferson Parish or his designee.

(i) The president of the East Jefferson Levee District or his designee.

(j) The president of West Jefferson Levee District or his designee."

On motion of Rep. Tucker, the amendments were adopted.

Rep. Murray moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Darte
Devillier
Diez

Fruge
Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kennard
Kenney
LaFleur
Lancaster
Landrieu

Odinot
Perkins
Psychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy

Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright

Total—105

NAYS

Total—0

ABSENT

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Murray moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 859—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 37:1474(B), relative to the Louisiana State Board of Home Inspectors; to include the International Society of Home Inspectors among the organizations that provide a list of names for selection of the members of the board; and to provide for related matters.

Read by title.

Rep. Lancaster moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend

Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Frith	Nevers	

Total—101

NAYS

Total—0

ABSENT

Flavin	Pierre
Hebert	Smith, J.R.—30th
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lancaster moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 883—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 33:2870, 2891.4, 4720.16(C), 4720.29(A), and 4720.30(C) and to enact R.S. 33:2881, 4720.16(D), and 4720.29(D), relative to the post-adjudication sale or donation of adjudicated property; to authorize the purchaser or donee of such property to record an affidavit relative to notice procedures; to provide relative to the cancellation of encumbrances recorded against such property and to require the clerks of court to cancel encumbrances recorded against such property; to exempt such property from certain provisions governing the transfer of property acquired by the state or political subdivisions; and to provide for related matters.

Read by title.

Rep. Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Quezaire
Baldone	Guillory	Richmond
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Bowler	Hebert	Scalise
Broome	Hill	Schneider
Bruce	Honey	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th

Page 34 HOUSE

29th Day's Proceedings - May 22, 2003

Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Beard	Hudson	Powell
Hopkins	Lancaster	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Broome moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 892—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 47:6007(C)(4), relative to economic development incentives; to provide that certain out-of-state employees locating in Louisiana qualify as "new direct jobs" when determining the amount of rebates under the Quality Jobs Rebate Program; to provide relative to certain transactions of motion picture investors; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider

Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Frige	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Dartez	Lancaster
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 976—

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 32:63.2, relative to speed limits; to provide for speed limits on Louisiana Highway 182; and to provide for related matters.

Read by title.

Rep. Jack Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frige	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero

Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—105		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1051—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact Code of Civil Procedure Article 1920, relative to court costs; to require the non-prevailing party to pay all costs if the suit is frivolous; and to provide for related matters.

Read by title.

Rep. Hebert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Perkins
Alexander	Glover	Peychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter

Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Diez	Lancaster	Swilling
Doerge	Landrieu	Thompson
Downer	LeBlanc	Toomy
Downs	Lucas	Townsend
Durand	Martiny	Triche
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Frige	Nevers	
Total—101		

NAYS

Total—0

ABSENT

Carter, R	Tucker
Devillier	Walsworth
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hebert moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1237—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact Code of Civil Procedure Articles 2332(A), 2636(1), and 3722 and to repeal Code of Civil Procedure Article 2639, relative to foreclosure; to provide for appraisals in judicial sales under fieri facias; to provide for authentic evidence in executory proceedings; to provide for enforcement by ordinary process; and to provide for related matters.

Read by title.

Rep. Walsworth moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Frige	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire

Page 36 HOUSE

29th Day's Proceedings - May 22, 2003

Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Glover	Jackson, M	Morrell
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Walsworth moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1339—

BY REPRESENTATIVE GLOVER

AN ACT

To rename a portion of Louisiana Highway 3132 between Interstate 20 and Interstate 49, located in Caddo Parish, the Terry Bradshaw Passway; and to provide for related matters.

Read by title.

Rep. Glover moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond

Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Cazayoux	LaFleur
Flavin	Smith, J.R.—30th
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Glover moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1386—

BY REPRESENTATIVES WALSWORTH, DANIEL, AND JOHNS

AN ACT

To enact R.S. 9:2770, relative to contractors; to provide a limitation of liability for damages related to fungal contamination; to provide definitions; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Walsworth, the bill was returned to the calendar.

HOUSE BILL NO. 1564—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 46:236.5(C), relative to hearing officers; to provide for the use of hearing officers in expedited proceedings relative to domestic matters; to expand the authority of hearing officers; to provide for the entering of default judgments; to provide for the granting of uncontested matters; to authorize the referral for mediation, evaluations, and drug tests; to provide for contempt of court; to provide a process for objecting to a hearing

officer's recommendations; to provide for final judgments; and to provide for related matters.

Read by title.

Rep. Walsworth sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Engrossed House Bill No. 1564 by Representative Walsworth

AMENDMENT NO. 1

On page 3, delete lines 25 and 26 in their entirety

AMENDMENT NO. 2

On page 4, delete lines 1 through 8 in their entirety and insert the following:

"(k) Hear and make recommendations on all protective orders filed in accordance with R.S. 46:2131 et seq., R.S. 46:2151 et seq., and the Children's Code and on all injunctions filed in accordance with R.S. 9:361, 371, and 372 and Code of Civil Procedure Articles 3601 et seq., which involve personal abuse, terrorizing, stalking, or harassment; and hear and make recommendations on all motions for contempt of court and motions to extend, modify, or dissolve protective orders and injunctions."

On motion of Rep. Walsworth, the amendments were adopted.

Rep. Walsworth moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peyschaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Beard	Hebert	Richmond
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kennard	Strain
Dartez	Kenney	Swilling
Devillier	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker

Fannin	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Total—101		

NAYS

Morrell	Romero
Total—2	

ABSENT

Baylor	Bowler
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Walsworth moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1617—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend Civil Code Article 1833, relative to signatures on authentic acts; to require legible hand printed or typed names; to provide for defect of form; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1617 by Representative Devillier

AMENDMENT NO. 1

On page 1, line 2, following "amend" and before "Civil" insert "and reenact"

AMENDMENT NO. 2

On page 1, line 6, following "hereby" and before "and" insert "amended"

On motion of Rep. Salter, the amendments were adopted.

Rep. Devillier moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire

Page 38 HOUSE

29th Day's Proceedings - May 22, 2003

Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kennard	Stelly
Dartez	Kenney	Strain
Devillier	LaFleur	Swilling
Diez	Lancaster	Thompson
Doerge	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Total—102		

NAYS

Total—0

ABSENT

Baylor	Cazayoux	Psychaud
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Devillier moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1708—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact Part V of Chapter 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1950.1 and 1950.2, relative to historic roads and Louisiana byways; to designate the Louisiana Great River Road as a Louisiana byway; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1708 by Representative Hammett

AMENDMENT NO. 1

On page 1, lines 2 and 7, following "9" and before "of" insert "of Title 56"

On motion of Rep. Salter, the amendments were adopted.

Rep. Hammett moved the final passage of the bill, as adopted.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinot	
Total—103		

NAYS

Total—0

ABSENT

Baylor	Smith, J.H.—8th
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1794—

BY REPRESENTATIVE R. CARTER

AN ACT

To amend and reenact Code of Civil Procedure Article 970(C), relative to offer of judgment procedures; to provide for attorney fees; and to provide for related matters.

Read by title.

Rep. Robert Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Früge	Odinot	
Total—103		

NAYS

Total—0

ABSENT

Durand	Smith, J.R.—30th
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Robert Carter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1814— BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:274.1(A), relative to highways; to provide relative to logo signs on interstate highways and other certain highways; to authorize the department to contract with a qualified third party for the placement and maintenance of logo

signs; to provide relative to the contract and accounting of revenues between the parties; to provide relative to fees for certain logo signs; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Früge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruneau	Hopkins	Scalise
Carter, K	Hudson	Schneider
Carter, R	Hunter	Schwegmann
Cazayoux	Iles	Shaw
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devilleir	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—99		

NAYS

Total—0

ABSENT

Bruce	Hutter	Smith, G.—56th
Capella	Jackson, M	Smith, J.R.—30th
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Page 40 HOUSE

29th Day's Proceedings - May 22, 2003

HOUSE BILL NO. 1820—

BY REPRESENTATIVE M. JACKSON
AN ACT

To enact Code of Evidence Article 518, relative to privileged communications; to provide for a testimonial privilege for certain communications made to a trained peer support member; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Michael Jackson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative M. Jackson to Engrossed House Bill No. 1820 by Representative M. Jackson

AMENDMENT NO. 1

On page 1, at the beginning of line 10, change "A." to "A.(1)"

AMENDMENT NO. 2

On page 2, at the beginning of line 2, insert "(2)"

AMENDMENT NO. 3

On page 2, line 2, after "apply" and before "trained" delete "if the" and insert the following:

"to any of the following if:

(a) The"

AMENDMENT NO. 4

On page 2, line 4, after "incident" and before "which" delete the comma ","

AMENDMENT NO. 5

On page 2, between lines 5 and 6, insert the following:

"(b) A communication reveals the intended commission of a crime or harmful act and such disclosure is determined to be necessary by the trained peer support member to protect any person from a clear, imminent risk of serious mental or physical harm or injury, or to forestall a serious threat to the public safety."

AMENDMENT NO. 6

On page 2, line 14, after "has" delete the remainder of the line

On motion of Rep. Michael Jackson, the amendments were adopted.

Rep. Michael Jackson moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario

Gallot
Glover

Psychaud
Pierre

Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Cazayoux
Crane
Crowe
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downer
Downs
Durand
Erdey
Fannin
Farrar
Fauchaux
Flavin
Frith
Fruge
Futrell
Total—103

Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kennard
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet
Perkins

Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Carter, R
Total—2

Curtis

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Michael Jackson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1840—

BY REPRESENTATIVE DARTEZ
AN ACT

To amend and reenact R.S. 37:1104(A), (B)(1) and (2)(a) and (C), 1116(B)(introductory paragraph) and (C)(introductory paragraph), 1120(A)(introductory paragraph), and 1121 and to repeal R.S. 37:1104(B)(2)(d) and 1106(A)(9), relative to licensed marriage and family therapists; to provide for changes to the content of the board; to delete the examination fee for marriage and family license applicants; to provide for replacements for vacancies that arise in the board; and to provide for related matters.

Read by title.

Rep. Dartez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Peychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Frige	Odinet	
Futrell	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Bruce Carter, R
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dartez moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1861—
BY REPRESENTATIVES BRUCE AND PINAC
AN ACT

To amend and reenact R.S. 6:101(B)(1) and (4), relative to the commissioner of the Office of Financial Institutions; to provide for qualifications; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frige	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Total—104		

NAYS

Total—0

ABSENT

Walsworth
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1876—
BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e)(i)(aa), (cc), (dd)(I), (ee), (ii)(aa), (cc), (dd)(I), and (ee) and to enact R.S. 30:2532(B)(3), relative to drivers' licenses; to increase the fee for issuance and renewal of drivers' licenses; to require funds from such fee increase to be forwarded to the Keep Louisiana Beautiful Fund; to provide relative to the use of such funds; and to provide for related matters.

Read by title.

Motion

Page 42 HOUSE

29th Day's Proceedings - May 22, 2003

On motion of Rep. Karen Carter, the bill was returned to the calendar.

HOUSE BILL NO. 1884— BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hebert, the bill was returned to the calendar.

HOUSE BILL NO. 1896— BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 9:2800.13, relative to liability for damages related to transportation of material by carrier; to provide for specific findings of fact; to provide for a determination of causation; to provide for evidence of negligence or fault; to provide for the applicability of comparative fault; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Pitre, the bill was returned to the calendar.

HOUSE BILL NO. 1928— BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 48:229, relative to the state highway system; to provide relative to priority reports on construction projects; to provide relative to the factors the Department of Transportation and Development shall consider when deciding the order of priorities; to require the department to consider certain factors when determining the order of priority projects; and to provide for related matters.

Read by title.

Rep. Downer moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th

Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devallier
Diez
Doerge
Downer
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith

Total—105

Jackson, L
Jackson, M
Johns
Katz
Kennard
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers

Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Downer moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1935— BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to special prestige license plates; to require an organization to prepay the secretary of the office of motor vehicles for one thousand license plates or provide a guarantee that one thousand license plates will be purchased before such a plate is created; and to provide for related matters.

Read by title.

Rep. Katz moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Flavin	Perkins
Alexander	Frith	Peychaud
Ansardi	Fruge	Pierre
Arnold	Futrell	Pinac
Baldone	Gallot	Pitre
Baudoin	Glover	Powell
Baylor	Green	Quezaire
Beard	Guillory	Richmond
Bowler	Hammett	Romero
Broome	Heaton	Salter
Bruce	Hebert	Schneider
Bruneau	Hill	Schwegmann
Capella	Hunter	Shaw

Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Triche
Diez	LeBlanc	Tucker
Doerge	Martiny	Waddell
Downer	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	Welch
Erdey	Morrish	Winston
Fannin	Murray	Wooton
Farrar	Nevers	Wright
Total—96		

NAYS

Lucas	Morrell
Total—2	

ABSENT

Honey	Kennard	Townsend
Hopkins	Scalise	
Hudson	Swilling	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Katz moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 2020 (Substitute for House Bill No. 1546 by Representative Bowler)—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 9:2273, relative to trusts; to provide for the definition of corporate trustee; and to provide for related matters.

Read by title.

Rep. Bowler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw

Carter, K	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinot	
Total—103		

NAYS

Total—0

ABSENT

Carter, R	Townsend
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bowler moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 653—

BY REPRESENTATIVE K. CARTER

A JOINT RESOLUTION

Proposing to add Article VIII, Section 9.1 of the Constitution of Louisiana, to require members of each city, parish, and other local public school board to take a specified oath of office; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Montgomery
Alexander	Green	Morrell
Baldone	Guillory	Morrish
Baudoin	Hammett	Murray
Baylor	Heaton	Nevers
Beard	Hebert	Odinot
Broome	Hill	Peychaud
Bruce	Honey	Pierre
Bruneau	Hudson	Pitre
Carter, K	Hunter	Powell
Carter, R	Iles	Quezaire
Cazayoux	Jackson, L	Richmond

Page 44 HOUSE

29th Day's Proceedings - May 22, 2003

Curtis
Damico
Daniel
Devillier
Diez
Durand
Farrar
Flavin
Frith
Total—63

Jackson, M
Johns
Katz
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
McDonald

Schneider
Schwegmann
Smith, J.D.—50th
Smith, J.R.—30th
Stelly
Strain
Townsend
Walker
Welch

NAYS

Alario
Arnold
Bowler
Crane
Crowe
Erdey
Fannin
Fauchaux
Früge
Futrell
Total—28

Hutter
Kenney
McVea
Perkins
Pinac
Romero
Salter
Shaw
Smith, G.—56th
Smith, J.H.—8th

Thompson
Toomy
Triche
Tucker
Waddell
Walsworth
Wooton
Wright

ABSENT

Ansardi
Capella
Dartez
Doerge
Downer
Total—14

Downs
Glover
Hopkins
Kennard
Martiny

Scalise
Sneed
Swilling
Winston

The bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

HOUSE BILL NO. 1672—

BY REPRESENTATIVES BROOME AND WELCH
AN ACT

To enact R.S. 1:55(B)(6), relative to legal holidays; to provide that June Nineteenth shall be observed by the state; to authorize an employer to determine who is nonessential; to provide that an employee shall not be paid if leave time is not used, and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Broome sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broome to Engrossed House Bill No. 1672 by Representative Broome

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "relative" delete "R.S. 1:55(B)(6)," and insert in lieu thereof "R.S. 1:58.2,"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" and before "to provide" delete "legal holidays;" and insert in lieu thereof "special days; to recognize and designate the third Saturday in June as "Juneteenth Day";"

AMENDMENT NO. 3

On page 1, at the end of line 2, change "June" to "this date"

AMENDMENT NO. 4

On page 1, at the beginning of line 3, before "shall" delete "Nineteenth"

AMENDMENT NO. 5

On page 1, line 3, after "state;" delete the remainder of the line in its entirety

AMENDMENT NO. 6

On page 1, delete line 4 in its entirety

AMENDMENT NO. 7

On page 1, at the beginning of line 5, before "and" delete "paid if leave time is not used,"

AMENDMENT NO. 8

On page 1, line 7, after "Section 1." and before "is" delete "R.S. 1:55(B)(6)" and insert in lieu thereof "R.S. 1:58.2"

AMENDMENT NO. 9

On page 1, delete lines 8 through 17 in their entirety and insert in lieu thereof the following:

"§58.1. Juneteenth Day

A. Juneteenth Day has long been recognized as a special day of celebration for the freedom of African Americans. As such, since 1865 the day has been celebrated as the day African Americans received the news of the signing of the Emancipation Proclamation. The celebration of this day has grown into a special day celebrating this freedom as well as a day of learning, sharing, and giving respect to the history, culture, and achievements of African Americans.

B. The third Saturday in June is recognized and designated as Juneteenth Day throughout the state of Louisiana, in honor of the day African Americans celebrate as Emancipation Day."

On motion of Rep. Broome, the amendments were adopted.

Rep. Broome moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau

Gallot
Glover
Green
Guillory
Hammett
Heaton
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles

Perkins
Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Schneider
Schwegmann
Shaw

Capella	Jackson, L	Smith, G.—56th
Carter, K	Jackson, M	Smith, J.D.—50th
Carter, R	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Farrar	Montgomery	Walker
Fauchoux	Morrell	Walsworth
Flavin	Morrish	Welch
Frith	Murray	Winston
Frige	Nevers	Wooton
Futrell	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Dartez	Downs	Hebert
Doerge	Fannin	Scalise
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Broome moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1839—

BY REPRESENTATIVES BAYLOR AND L. JACKSON
AN ACT

To enact Children's Code Article 423(C)(6), relative to the authority of hearing officers in juvenile court; to authorize hearing officers to hear and make recommendations on all restraining orders filed in accordance with Children's Code Articles 1569 and 1570; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Baylor moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Psychaud
Alario	Green	Pierre
Alexander	Guillory	Pinac
Ansardi	Hammett	Pitre
Arnold	Heaton	Powell
Baldone	Hebert	Quezaire
Baudoin	Hill	Richmond
Baylor	Honey	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Scalise

Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Fauchoux	Morrell	Walsworth
Flavin	Morrish	Welch
Frith	Murray	Winston
Frige	Nevers	Wooton
Futrell	Odinet	Wright
Gallot	Perkins	
Total—101		

NAYS

Downs
Total—1

ABSENT

Beard	Durand	Farrar
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baylor moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 713—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 32:295(A), (B)(2), (C), and (D) and to enact R.S. 32:295(B)(3) and (I), relative to child passenger restraint systems in motor vehicles; to provide for the age at which certain child restraint systems shall be used; to provide for definitions; to provide for situations in which passenger side airbag systems are activated; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hutter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hutter to Engrossed House Bill No. 713 by Representative Hutter

AMENDMENT NO. 1

On page 3, line 1, after "of age" change "or" to "and"

AMENDMENT NO. 2

On page 3, delete lines 6 and 7

On motion of Rep. Hutter, the amendments were adopted.

Rep. Hutter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Green	Peychaud
Arnold	Guillory	Pierre
Baldone	Heaton	Pitre
Baudoin	Hebert	Powell
Baylor	Hill	Quezaire
Broome	Honey	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Shaw
Crane	Hutter	Smith, J.H.—8th
Crowe	Jackson, L	Smith, J.R.—30th
Curtis	Johns	Stelly
Devillier	Katz	Strain
Diez	Kennard	Swilling
Downs	LaFleur	Thompson
Erdey	Lucas	Waddell
Farrar	Montgomery	Welch
Frith	Morrell	
Glover	Murray	
Total—52		

NAYS

Mr. Speaker	Gallot	Schwegmann
Alexander	Iles	Smith, G.—56th
Ansardi	Jackson, M	Smith, J.D.—50th
Beard	Kenney	Sneed
Bowler	Lancaster	Toomy
Capella	LeBlanc	Townsend
Carter, K	McDonald	Tucker
Damico	McVea	Walker
Durand	Morrish	Walsworth
Fannin	Nevers	Winston
Faucheux	Perkins	Wooton
Flavin	Pinac	Wright
Fruge	Scalise	
Total—38		

ABSENT

Carter, R	Downer	Martiny
Cazayoux	Futrell	Odinot
Daniel	Hammett	Richmond
Dartez	Hopkins	Schneider
Doerge	Landrieu	Triche
Total—15		

Failed to pass.

Motion to reconsider pending.

Suspension of the Rules

On motion of Rep. Hutter, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 12

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

May 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 610
Returned with amendments.

House Bill No. 1732
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 78—

BY REPRESENTATIVE SCHNEIDER

A RESOLUTION

To urge and request the National Collegiate Athletic Association (NCAA), National Football League (NFL), National Basketball Association (NBA), Major League Baseball (MLB), National Hockey League (NHL), National Association of Sports Officials (NASO), and other professional sports associations to provide with respect to recurrent training of and errors committed during an athletic contest by referees, umpires, judges, linemen, and other sports officials under their jurisdiction and to publicly acknowledge these errors in a timely manner in order to restore and maintain public confidence in the games.

Read by title.

On motion of Rep. Schneider, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 79—
BY REPRESENTATIVE PERKINS

A RESOLUTION

To proclaim May 25, 2003, as "Brent Hornsby Memorial Sunday".

Read by title.

On motion of Rep. Perkins, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 80—
BY REPRESENTATIVE LANDRIEU

A RESOLUTION

To commend Archbishop Philip Matthew Hannan upon the occasion of his ninetieth birthday.

Read by title.

On motion of Rep. Landrieu, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 81—
BY REPRESENTATIVES ROMERO, DURAND, HEBERT, AND JACK SMITH

A RESOLUTION

To commend Jason P. Theriot upon the publication of his book series and the occasion of his book signing and lecture at the National D-Day Museum in New Orleans.

Read by title.

On motion of Rep. Romero, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 171—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To commend Courtney Porteous Millet upon being named the 2002 Louisiana Elementary School Principal of the Year.

Read by title.

On motion of Rep. Fauchaux, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 172—
BY REPRESENTATIVES BOWLER AND CAPELLA

A CONCURRENT RESOLUTION

To request that the Louisiana State Law Institute study certain aspects of laws related to immovable property, land titles, and trust property.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 173—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To request the commissioner of agriculture and forestry to examine agricultural commodities imported into Louisiana from the state of California to confirm their compliance with public health and safety standards.

Read by title.

On motion of Rep. Odinet, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Civil Law and Procedure

May 22, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 21, 2003, I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 425, by Pitre (Joint Resolution)
Reported with amendments. (7-0) (Regular)

RONNIE JOHNS
Chairman

Report of the Committee on Judiciary
May 22, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 21, 2003, I am directed by your Committee on Judiciary to submit the following report:

House Bill No. 70, by Pitre
Reported favorably. (6-0-1) (Regular)

House Bill No. 231, by Townsend
Reported favorably. (6-0-1) (Regular)

House Bill No. 455, by Jack Smith
Reported favorably. (6-0-1) (Regular)

House Bill No. 633, by Hutter
Reported favorably. (7-0-1) (Regular)

House Bill No. 1061, by Bowler
Reported favorably. (7-0-1) (Regular)

House Bill No. 1186, by Welch
Reported favorably. (7-0-1) (Regular)

House Bill No. 1240, by Townsend
Reported by substitute. (7-0-1) (Regular)

House Bill No. 1380, by Triche
Reported with amendments. (8-0-1) (Regular)

House Bill No. 1805, by Salter
Reported with amendments. (6-3-1) (Regular)

House Bill No. 1959, by Winston
Reported with amendments. (8-0-1) (Regular)

Senate Bill No. 140, by Ellington
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 253, by Dardenne
Reported favorably. (7-0-1) (Regular)

Senate Bill No. 479, by Chaisson
Reported favorably. (6-3-1) (Regular)

Senate Bill No. 1039, by Lentini

Page 48 HOUSE

29th Day's Proceedings - May 22, 2003

Reported with amendments. (7-0-1) (Regular)

Senate Bill No. 1040, by Lentini
Reported with amendments. (7-0-1) (Regular)

JOSEPH F. TOOMY
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Labor and Industrial Relations

May 22, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 21, 2003, I am directed by your
Committee on Labor and Industrial Relations to submit the following
report:

House Bill No. 301, by Murray
Reported with amendments. (13-0) (Regular)

House Bill No. 1332, by Cazayoux (Duplicate of SB 788)
Reported with amendments. (12-0) (Regular)

House Bill No. 1898, by Pitre
Reported with amendments. (13-0) (Regular)

ELCIE GUILLORY
Chairman

Report of the Committee on Municipal, Parochial and Cultural Affairs

May 22, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 21, 2003, I am directed by your
Committee on Municipal, Parochial and Cultural Affairs to submit the
following report:

House Bill No. 1043, by Faucheux
Reported with amendments. (9-0-1) (Regular)

House Bill No. 1271, by Lydia Jackson
Reported favorably. (9-0-1) (Regular)

House Bill No. 1452, by Hopkins
Reported with amendments. (9-0-1) (Regular)

House Bill No. 1520, by Faucheux
Reported with amendments. (6-3) (Regular)

House Bill No. 1591, by McDonald
Reported favorably. (11-0-1) (Regular)

House Bill No. 1757, by Walsworth
Reported with amendments. (8-0-1) (Regular)

House Bill No. 1809, by Thompson
Reported with amendments. (11-0-1) (Regular)

House Bill No. 1859, by Wooton
Reported favorably. (9-0-1) (Regular)

House Bill No. 1892, by Walsworth

Reported with amendments. (8-0-1) (Regular)

House Bill No. 1943, by LeBlanc
Reported with amendments. (9-0-1) (Regular)

House Bill No. 1945, by Diez
Reported with amendments. (7-0-1) (Regular)

House Bill No. 1969, by Schwegmann
Reported favorably. (8-0-1) (Regular)

Senate Bill No. 800, by Bajoie
Reported favorably. (10-0-1) (Regular)

Senate Bill No. 830, by Bajoie
Reported with amendments. (9-0-1) (Regular)

Senate Bill No. 847, by Ellington
Reported favorably. (8-0-1) (Regular)

Senate Bill No. 902, by Bajoie
Reported favorably. (9-0-1) (Regular)

SHARON WESTON BROOME
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Retirement

May 22, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 21, 2003, I am directed by your
Committee on Retirement to submit the following report:

House Bill No. 354, by Townsend
Reported with amendments. (7-0) (Regular)

House Bill No. 412, by McVea
Reported with amendments. (8-0) (Regular)

House Bill No. 417, by Murray
Reported with amendments. (7-0) (Regular)

House Bill No. 565, by Crane
Reported favorably. (8-0) (Regular)

House Bill No. 909, by Schneider
Reported favorably with recommendation to recommit the bill to the
Committee on Appropriations. (7-0)

House Bill No. 916, by Schneider
Reported favorably. (7-0) (Regular)

House Bill No. 995, by LaFleur
Reported with amendments. (8-0) (Regular)

House Bill No. 1192, by Townsend
Reported favorably with recommendation to recommit the bill to the
Committee on Appropriations. (7-0)

House Bill No. 1811, by Triche
Reported favorably. (8-0) (Regular)

Senate Bill No. 131, by Hainkel

Reported with amendments. (6-0) (Regular)

Senate Bill No. 191, by Boissiere
Reported favorably. (7-0) (Regular)

Senate Bill No. 192, by Boissiere
Reported favorably. (7-0) (Regular)

Senate Bill No. 193, by Boissiere
Reported favorably. (7-0) (Regular)

Senate Bill No. 195, by Boissiere
Reported favorably. (8-0) (Regular)

Senate Bill No. 196, by Boissiere
Reported favorably. (8-0) (Regular)

Senate Bill No. 198, by Boissiere
Reported favorably. (8-0) (Regular)

Senate Bill No. 201, by Boissiere
Reported favorably. (7-0) (Regular)

Senate Bill No. 312, by Boissiere
Reported with amendments. (8-0) (Regular)

Senate Bill No. 428, by Boissiere
Reported favorably. (7-0) (Regular)

M. P. "PETE" SCHNEIDER III
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Appropriations

May 22, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the
following report:

House Bill No. 1, by LeBlanc
Reported with amendments. (19-0) (Regular)

House Bill No. 1779, by LeBlanc
Reported with amendments. (16-0) (Regular)

House Bill No. 1781, by LeBlanc
Reported with amendments. (16-0) (Regular)

House Bill No. 1875, by DeWitt
Reported favorably. (16-0) (Regular)

JERRY LUKE LEBLANC
Chairman

Report of the Committee on Education

May 22, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the
following report:

House Concurrent Resolution No. 145, by Morrell
Reported favorably. (9-0)

House Bill No. 1619, by Morrish

Reported with amendments. (13-0) (Regular)

CARL CRANE
Chairman

**Report of the Committee on
Administration of Criminal Justice**

May 22, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal
Justice to submit the following report:

House Bill No. 408, by Martiny
Reported by substitute. (8-0) (Regular)

House Bill No. 409, by Martiny
Reported favorably. (8-0) (Regular)

House Bill No. 466, by Martiny
Reported by substitute. (7-0) (Regular)

Senate Bill No. 292, by Mount
Reported favorably. (7-0) (Regular)

Senate Bill No. 332, by Cravins
Reported favorably. (7-0) (Regular)

Senate Bill No. 482, by Chaisson
Reported with amendments. (7-0) (Regular)

Senate Bill No. 513, by C D Jones
Reported favorably. (4-3) (Regular)

Senate Bill No. 528, by C D Jones
Reported favorably. (8-0) (Regular)

Senate Bill No. 634, by Cain
Reported favorably. (5-2) (Regular)

Senate Bill No. 699, by Ullo
Reported with amendments. (8-0) (Regular)

Senate Bill No. 711, by Marionneaux
Reported favorably. (6-0) (Regular)

Senate Bill No. 756, by Hoyt
Reported favorably. (8-0) (Regular)

Senate Bill No. 875, by Mount
Reported favorably. (8-0) (Regular)

Senate Bill No. 964, by B Jones
Reported favorably. (7-0) (Regular)

DANIEL MARTINY
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Health and Welfare

May 22, 2003

To the Speaker and Members of the House of Representatives:

Page 50 HOUSE

29th Day's Proceedings - May 22, 2003

I am directed by your Committee on Health and Welfare to submit the following report:

Senate Bill No. 237, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 238, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 263, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 305, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 306, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 310, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 311, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 592, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 612, by B. Jones
Reported favorably. (10-0) (Regular)

Senate Bill No. 930, by Schedler
Reported favorably. (10-0) (Regular)

Senate Bill No. 966, by Schedler
Reported with amendments. (10-0) (Regular)

Senate Bill No. 974, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 1131, by Schedler
Reported with amendments. (9-0) (Regular)

SYDNIE MAE DURAND
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on House and Governmental Affairs

May 22, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Bill No. 112, by Guillory
Reported by substitute. (9-0) (Regular)

House Bill No. 314, by Pitre
Reported with amendments. (8-0) (Regular)

House Bill No. 601, by Bowler (Joint Resolution)
Reported with amendments. (8-0)

House Bill No. 969, by Bowler
Reported with amendments. (8-0) (Regular)

House Bill No. 1055, by Lancaster
Reported favorably. (8-0) (Regular)

House Bill No. 1350, by Downer
Reported favorably. (8-0) (Regular)

House Bill No. 1387, by Lancaster
Reported favorably. (8-0) (Regular)

House Bill No. 1388, by Lancaster
Reported favorably. (9-0) (Regular)

Senate Bill No. 31, by Dupre
Reported favorably. (8-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

May 22, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 2
Reported without amendments.

Senate Bill No. 3
Reported without amendments.

Senate Bill No. 49
Reported without amendments.

Senate Bill No. 63
Reported without amendments.

Senate Bill No. 122
Reported without amendments.

Senate Bill No. 375
Reported without amendments.

Senate Bill No. 376
Reported without amendments.

Senate Bill No. 440
Reported without amendments.

Senate Bill No. 686
Reported without amendments.

Senate Bill No. 721
Reported without amendments.

Senate Bill No. 732
Reported without amendments.

Senate Bill No. 863
Reported without amendments.

Senate Bill No. 889
Reported without amendments.

Senate Bill No. 1067
Reported without amendments.

Senate Bill No. 1073
Reported without amendments.

Respectfully submitted,
JOE SALTER
Chairman

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 663—
BY SENATOR HEITMEIER AND REPRESENTATIVES MONTGOMERY AND SCALISE

AN ACT

To enact R.S. 27:3(24), relative to the Louisiana Gaming Control Law; to provide for a definition of a "Louisiana business", "Louisiana company", or "Louisiana corporation"; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Montgomery, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 689—
BY SENATOR ULLO

AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(g), relative to the Department of Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Lancaster, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 690—
BY SENATOR ULLO

AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(f), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Lancaster, the above bill was referred to the Committee on House and Governmental Affairs.

Senate Bills on Second Reading Reported by Committee

The following Senate Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

Motion

On motion of Rep. Townsend, Senate Bill No. 479 was recalled from the Legislative Bureau.

SENATE BILL NO. 479—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 32:300(A) and to enact R.S. 32:300(F), relative to alcoholic beverages; to prohibit passengers in motor vehicles from possessing open alcoholic beverage containers; to prohibit such persons from consuming alcoholic beverages; to provide for exceptions; and to provide for related matters.

Read by title.

Rep. Townsend moved that the bill be recommitted to the Committee on Administration of Criminal Justice.

Rep. Fauchoux objected.

By a vote of 63 yeas and 22 nays, the House agreed to recommit the bill to the Committee on Administration of Criminal Justice.

Privileged Report of the Committee on Enrollment

May 22, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 67—
BY REPRESENTATIVE PINAC

A RESOLUTION

To commend Mrs. Marlene B. LeBoeuf upon receiving the Humanitarian of the Year Award from the Crowley Chamber of Commerce.

HOUSE RESOLUTION NO. 68—
BY REPRESENTATIVE PINAC

A RESOLUTION

To commend David and Peter John upon being named the 2002-2003 Outstanding Business Persons of the Year by the Crowley Chamber of Commerce.

HOUSE RESOLUTION NO. 69—
BY REPRESENTATIVE TUCKER

A RESOLUTION

To commend Bobby Ragsdale III upon his appointment to the United States Military Academy at West Point, New York.

Page 52 HOUSE

29th Day's Proceedings - May 22, 2003

HOUSE RESOLUTION NO. 70—

BY REPRESENTATIVE JACK SMITH

A RESOLUTION

To commend the Lady Panthers of Berwick High School upon winning the Class 3A state softball championship.

HOUSE RESOLUTION NO. 71—

BY REPRESENTATIVE JACK SMITH

A RESOLUTION

To commend Lloyd Burchfield upon being named Coach of the Year.

HOUSE RESOLUTION NO. 72—

BY REPRESENTATIVE MURRAY

A RESOLUTION

To express sincere and heartfelt condolences upon the death of Dwayne Anthony Felton.

HOUSE RESOLUTION NO. 74—

BY REPRESENTATIVES DEVILLIER, BEARD, BROOME, DAMICO, DANIEL, DIEZ, FAUCHEUX, FLAVIN, FRUGE, JOHNS, MONTGOMERY, MORRISH, PERKINS, PEYCHAUD, PINAC, PITRE, QUEZAIRE, GARY SMITH, STRAIN, AND WALSWORTH

A RESOLUTION

To declare May 21, 2003, as Louisiana Chemical Industry Good Neighbor Day.

HOUSE RESOLUTION NO. 75—

BY REPRESENTATIVE BEARD

A RESOLUTION

To commend Charlene Kimbrough for her efforts on behalf of homeschooling, particularly with respect to the graduation of the class of 2003.

HOUSE RESOLUTION NO. 76—

BY REPRESENTATIVE THOMPSON

A RESOLUTION

To express the condolences and the heartfelt sorrow of the Legislature of Louisiana upon the death of Ed Rutledge of Monroe and to recognize and record his many contributions to Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 22, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 83—

BY REPRESENTATIVE HUDSON

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to review any permits issued to the Lafayette Utility System to operate a land farm for sewerage sludge in St. Landry Parish, review the process by which such permits are issued to insure local participation, and take appropriate action for deficiencies.

HOUSE CONCURRENT RESOLUTION NO. 115—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To urge and request the United States Environmental Protection Agency and the United States Army Corps of Engineers to revise their regulatory authority in light of the United States Supreme Court decision in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001) (SWANCC).

HOUSE CONCURRENT RESOLUTION NO. 161—

BY REPRESENTATIVES CRANE, ALEXANDER, CROWE, CURTIS, DOWNER, HONEY, HUDSON, KENNARD, KENNEY, PEYCHAUD, NEVERS, POWELL, SALTER, JANE SMITH, STELLY, SWILLING, AND WINSTON

A CONCURRENT RESOLUTION

To commend Fred Skelton upon his retirement as president of the Louisiana Federation of Teachers, to recognize and record his myriad accomplishments and contributions to education in Louisiana, and to extend to him the best wishes of the legislature as he embarks on new challenges and endeavors.

HOUSE CONCURRENT RESOLUTION NO. 162—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To commend Charles A. Fuselier upon his retirement as sheriff of St. Martin Parish.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 22, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 30—

BY REPRESENTATIVE BAUDOUIN

AN ACT

To amend and reenact R.S. 56:104(A)(8) and 302.1(C)(2)(d), relative to hunting and fishing licenses; to provide that certain additional disabled persons may receive hunting and fishing licenses for a reduced fee; and to provide for related matters.

HOUSE BILL NO. 34—

BY REPRESENTATIVES DOWNER AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:463.11(B) and (E), relative to motor vehicle special license plates; to provide that certain disabled veterans may receive a special license plate for each vehicle registered in the applicant's name; to restrict issuance of such plates to certain vehicles; and to provide for related matters.

HOUSE BILL NO. 69—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 32:1735(A), relative to the towing of motor vehicles; to provide relative to the selection of a licensed towing company; and to provide for related matters.

HOUSE BILL NO. 124—

BY REPRESENTATIVE DOERGE

AN ACT

To enact R.S. 33:449, relative to mayors' courts; to create a mayor's court of the village of Heflin in Webster Parish; to provide for jurisdiction of the court; to provide for the power and authority of the mayor; and to provide for related matters.

HOUSE BILL NO. 253—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 38:2212.1(A)(2), relative to the Public Bid Law; to provide relative to the exception in Public Bid Law for the purchase of certain motor vehicles and road maintenance or improvement equipment; and to provide for related matters.

HOUSE BILL NO. 291—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 49:191(14)(introductory paragraph) and (a) and to repeal R.S. 49:191(12)(b), relative to the Department of Justice, including provisions to provide for the re-creation of the Department of Justice and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 459—

BY REPRESENTATIVE ALEXANDER

AN ACT

To enact R.S. 48:461.26(A)(3), relative to parkways; to designate a portion of Louisiana Highway 3025 as a parkway; and to provide for related matters.

HOUSE BILL NO. 478—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 47:1703.1(A), relative to registration of the homestead exemption; to require the assessor in Jefferson Parish to provide a form for the permanent registration of the homestead exemption; and to provide for related matters.

HOUSE BILL NO. 552—

BY REPRESENTATIVES BALDONE AND PIERRE

AN ACT

To amend and reenact R.S. 56:30.1 and 641.1(A), relative to commercial fishing licenses; to authorize the issuance of such licenses by electronic means; and to provide for related matters.

HOUSE BILL NO. 553—

BY REPRESENTATIVES DANIEL, JACK SMITH, AND PIERRE

AN ACT

To amend and reenact R.S. 56:319(A) and (D), relative to exotic fish; to require a permit for the possession of certain exotic fish; and to provide for related matters.

HOUSE BILL NO. 567—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:45(A)(introductory paragraph) and (B) and to enact R.S. 17:45(A)(4) and (C), relative to promotions of teachers in special schools; to provide that a teacher promoted to a higher position shall not gain permanent status in the higher position; to require teacher certification and other endorsements

for certain promotions; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 639—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 17:416(C)(2)(a)(ii) and (b)(ii), relative to the expulsion of students found guilty of certain drug offenses; to provide for an exception to such required expulsion under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 640—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 56:1851(C), relative to the Natural and Scenic Rivers Act; to provide penalties for violations of that Act for which penalties are not specified; and to provide for related matters.

HOUSE BILL NO. 763—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1720(A), 1728.2(D)(introductory paragraph) and (E)(introductory paragraph), and 1728.3(D)(2) and (E)(introductory paragraph), relative to the Louisiana Towing and Storage Act; to provide relative to the mailing of certain notices; and to provide for related matters.

HOUSE BILL NO. 870—

BY REPRESENTATIVES HUTTER, ARNOLD, BAYLOR, BEARD, BOWLER, BROOME, R. CARTER, CROWE, DARTEZ, DEVILLIER, DOERGE, DOWNS, DURAND, FANNIN, FAUCHEUX, FRITH, FUTRELL, GREEN, HEBERT, HONEY, HOPKINS, HUDSON, M. JACKSON, JOHNS, KENNARD, KENNEY, LUCAS, MARTINY, MCDONALD, MCVEA, MORRELL, MURRAY, NEVERS, PERKINS, PEYCHAUD, PIERRE, PINAC, POWELL, QUEZAIRE, ROMERO, SCHNEIDER, GARY SMITH, JACK SMITH, STRAIN, SWILLING, THOMPSON, TOWNSEND, WADDELL, WALKER, WELCH, AND WRIGHT

AN ACT

To enact R.S. 48:281, relative to highway construction and maintenance projects; to require the Department of Transportation and Development to develop a policy of notifying sheriffs, parish presidents, fire chiefs, and state legislators prior to major highway construction and maintenance work being performed; and to provide for related matters.

HOUSE BILL NO. 898—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 34:1652(C)(20) and to enact R.S. 34:1662, relative to the Greater Lafourche Port Commission; to provide relative to the commission's authority to make road and bridge improvements; and to provide for related matters.

HOUSE BILL NO. 940—

BY REPRESENTATIVE DANIEL

AN ACT

To repeal R.S. 48:56(A), relative to reporting on state projects by the Department of Transportation and Development; to repeal the requirement for annual reports on state projects to the legislature.

HOUSE BILL NO. 971—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:2112(A)(1), relative to testing pupils' sight and hearing; to provide for conducting such testing by city, parish, and other local public school boards; to provide guidelines and timelines for such testing; to provide for applicability; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 1362—

BY REPRESENTATIVES DANIEL, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:4622 and to enact R.S. 3:4603(B)(9), relative to weights and measures; to provide for the appointment of commission members; to increase the registration fees for commercial weighing and measuring devices; to create the Weight and Measures Fund; to provide for deposit to the fund and appropriation from the fund; and to provide for related matters.

HOUSE BILL NO. 1396—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN AND SENATORS GAUTREAUX, HINES, HOYT, THEUNISSEN, AND THOMAS

AN ACT

To amend and reenact R.S. 3:3210(C)(5), 3221(A), and 3251, relative to pesticide fees; to provide for increases in various registration, licensing, and certification fees; and to provide for related matters.

HOUSE BILL NO. 1445—

BY REPRESENTATIVES HEBERT AND TUCKER

AN ACT

To amend and reenact R.S. 22:844(A)(4), relative to investments by domestic insurers; to provide for bonds by public entities; to provide for limits; and to provide for related matters.

HOUSE BILL NO. 1533—

BY REPRESENTATIVES DANIEL, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:4602(1), (2), (17), and (21), 4607(A) and (B), 4608(A), 4611, 4612(B), 4621(A)(introductory paragraph), (B), (C), and (D), 4622(B)(4), (C), and (D), 4623(A), and 4624(A) and R.S. 47:718(A), to enact R.S. 3:4602(12.1), (19.1), and (20.1), 4621(E) and (F), and Subpart E of Part II of Chapter 30 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4671 through 4690, and to repeal R.S. 3:4622(F) and Part XII of Chapter 2 of Title 51 of Louisiana Revised Statutes of 1950, comprised of R.S. 51:781 through 831, relative to weighing and measuring petroleum products; to authorize the commissioner of agriculture and the Department of Agriculture and Forestry to regulate the commercial weighing and measuring of petroleum products; and to provide for related matters.

HOUSE BILL NO. 1537—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:675(C)(2) and (5), relative to insurance; to provide for stop-loss; and to provide for related matters.

HOUSE BILL NO. 1621—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:303.1(B), (C), and (D), and Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, and as amended by Act No. 33 of the 2000 Regular Session of the Legislature, relative to state and local sales and use taxes; to provide that private, nonprofit, tax-exempt organizations may apply for a direct payment number for the purpose of payment of taxes owed; to extend the termination date regarding certain transactions involving certain private and parochial elementary and secondary schools; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1790 (Substitute for House Bill No. 1117 by Representative Downer)—

BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 40:1401, relative to the Department of Public Safety and Corrections, office of state police; to provide for rights of employees, officers, and agents of the office while under investigation; and to provide for related matters.

HOUSE BILL NO. 1917—

BY REPRESENTATIVES DOWNS AND GALLOT

AN ACT

To authorize the adjutant general of the Louisiana Army National Guard to transfer title to certain land in Union Parish to the Union Parish Police Jury; to provide for the property description; to provide for reservation of mineral rights; to provide for terms and conditions; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended to permit the Committee on Appropriations to meet on Tuesday, May 27, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 1968

Suspension of the Rules

On motion of Rep. Damico, the rules were suspended to permit the Committee on Environment to meet on Tuesday, May 27, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 174

Leave of Absence

Rep. Landrieu- 1/2 day

Adjournment

On motion of Rep. Kenney, at 3:55 P.M., the House agreed to adjourn until Tuesday, May 27, 2003, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Tuesday, May 27, 2003.

ALFRED W. SPEER
Clerk of the House

